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ON THE PREVENTION OF CRIME
AND THE TREATMENT OF OFFENDERS
Cairo, Egypt, 29 April – 8 May 1995

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REPORT OF THE NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS*

Cairo, 29 April - 8 May 1995

CONTENTS

Chapter		*Paragraphs*	*Page*
I.	**RESOLUTIONS ADOPTED BY THE CONGRESS**	1	4
1.	Recommendations on the four substantive topics of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders		4
2.	International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments		14
3.	International instruments, such as a convention or conventions against organized transnational crime		16
4.	Links between terrorist crimes and transnational organized crime		17
5.	Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners		19
6.	Criminal justice management in the context of accountability of public administration and sustainable development		21

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Chapter *Paragraphs* *Page*

7. Children as victims and perpetrators of crime and the United Nations criminal justice programme: from standard setting towards implementation and action 24

8. Elimination of violence against women 29

9. Firearms regulation for purposes of crime prevention and public safety 33

10. Expression of thanks to the people and Government of Egypt 36

11. Credentials of representatives to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders 36

II. ORIGINS OF AND PREPARATIONS FOR THE CONGRESS ..... 2 - 5 36

III. ATTENDANCE AND ORGANIZATION OF WORK .... 6 - 42 37

A. Date and venue of the Congress 6 37

B. Pre-Congress consultations 7 37

C. Attendance .... 8 - 14 38

D. Opening of the Congress .... 15 - 31 39

E. Election of the President and of other officers .... 32 - 36 41

F. Adoption of the rules of procedure 37 42

G. Adoption of the agenda 38 42

H. Organization of work .... 39 - 40 42

I. Credentials of representatives to the Congress: appointment of members of the Credentials Committee 41 43

J. Implications of Congress resolutions for the programme budget of the United Nations 42 43

IV. CONSIDERATION OF AGENDA ITEMS IN PLENARY MEETINGS AND BY THE SESSIONAL BODIES AND ACTION TAKEN THEREON BY THE CONGRESS .... 43 - 244 43

A. Consideration of agenda item 3 in plenary meetings .... 43 - 68 43

B. Consideration of agenda item 4 in plenary meetings .... 69 - 93 49

C. Consideration of agenda item 5 in Committee I .... 94 - 128 53

Chapter *Paragraphs* *Page*

D. Consideration of agenda item 6 in Committee II .... 129 - 184 59

E. Report of the Credentials Committee .... 185 - 191 66

F. Action taken by the Congress .... 192 - 244 67

V. **SPECIAL SESSIONS OF THE CONGRESS IN PLENARY MEETINGS** .... 245 - 271 71

A. Experiences in practical measures aimed at combating corruption involving public officials .... 245 - 261 71

B. Technical cooperation .... 262 - 271 75

VI. **REPORTS OF WORKSHOPS** .... 272 - 385 76

A. Extradition and international cooperation: exchange of national experience and implementation of relevant principles in national legislation .... 272 - 286 76

B. Mass media and crime prevention .... 287 - 297 79

C. Urban policy and crime prevention .... 298 - 327 81

D. Prevention of violent crime .... 328 - 354 85

E. Environmental protection at the national and international levels: potentials and limits of criminal justice .... 355 - 369 88

F. International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information .... 370 - 385 91

VII. **ADOPTION OF THE REPORT OF THE CONGRESS AND CLOSURE OF THE CONGRESS** .... 386 - 393 93

Annex: List of documents 95

I. RESOLUTIONS ADOPTED BY THE CONGRESS

1. The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders adopted the following resolutions:

1. Recommendations on the four substantive topics of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind that one of the purposes of the United Nations, as stated in the Preamble to the Charter of the United Nations, is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all,

Bearing in mind also the responsibility assumed by the United Nations in the field of crime prevention and criminal justice under Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Bearing in mind further General Assembly resolution 46/152 of 18 December 1991, on the creation of an effective United Nations crime prevention and criminal justice programme,

Recalling Economic and Social Council resolutions 1992/24 of 30 July 1992, 1993/32 of 27 July 1993 and 1994/19 of 25 July 1994, on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling also Economic and Social Council resolution 1993/34 of 27 July 1993, on the implementation of General Assembly resolutions 46/152 and 47/91 and Economic and Social Council resolution 1992/22, concerning crime prevention and criminal justice,

Recalling further Economic and Social Council resolution 1993/31 of 27 July 1993, on the strengthening of the United Nations crime prevention and criminal justice programme,

Recalling the Vienna Declaration and Programme of Action,[1] adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and General Assembly resolutions 48/132 of 20 December 1993 and 49/194 of 23 December 1994 in which the value of technical cooperation programmes aimed at strengthening democratic institutions, the rule of law and national human rights infrastructure was repeatedly underlined,

Recalling General Assembly resolution 48/137 of 20 December 1993, in which the Assembly recognized the central role of the administration of justice in the promotion and protection of human rights,

Recalling Commission on Human Rights resolution 1994/64 of 9 March 1994 and General Assembly resolution 49/147 of 23 December 1994, on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and the relevant paragraphs of the Vienna Declaration and Programme of Action,[1]

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[1] Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

Concerned about the economic situation in developing countries and its negative impact on social conditions, a situation that makes crime prevention strategies difficult to implement, as recalled by the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994, and approved by the General Assembly in resolution 49/159 of 23 December 1994, in accordance with General Assembly resolution 48/103 of 20 December 1993,

Convinced of the importance of the work of the United Nations in providing a framework for the strengthening of international cooperation,

Convinced that the provision of operational activities, such as advisory services, training programmes and the dissemination and exchange of information, is one of the best means of intensifying international cooperation,

Recognizing the essential role of the United Nations and the important functions of the regional institutes for the prevention of crime and the treatment of offenders, affiliated with the United Nations, in the development of crime prevention and criminal justice strategies consistent with regional political, economic, social and cultural requirements,

Convinced that the United Nations has a significant role to play in enhancing multilateral cooperation aimed at combating crime and that the capacity of the United Nations to provide technical assistance to developing countries should be reinforced,

Welcoming the steps taken by the Commission on Crime Prevention and Criminal Justice to render the United Nations crime prevention and criminal justice programme more practical and operative,

Deeply concerned by the fact that the frequent requests by the United Nations policy-making bodies to have the Crime Prevention and Criminal Justice Branch of the Secretariat strengthened and upgraded into a division have not yet been implemented,

Recalling Economic and Social Council resolutions 1993/29 of 27 July 1993, on the World Ministerial Conference on Organized Transnational Crime, and 1993/30 of 27 July 1993, on the control of proceeds of crime,

Aware that crime has become a major problem, with national and international dimensions, hampering political, economic, social and cultural development, which may constitute a threat to the internal security and stability of sovereign States,

Alarmed by the threats posed by transnational organized crime, terrorist crimes and their links, violent activities in urban areas, illicit drug trafficking, illicit arms trafficking, international trafficking in minors, alien smuggling, economic crime,forgery of currency, environmental crime, corruption, crime against cultural property, motor vehicle theft, computer and telecommunications-related crime, money-laundering and the infiltration of legitimate economies by organized criminal groups, and the effects of those activities on society,

Gravely alarmed by the rapid growth of and danger posed by terrorist crimes which in many cases may threaten the security of citizens and the security of their countries, international stability and the rule of law,

Recognizing the pressing need for more intensified international cooperation to combat the deleterious effects of transnational crime, particularly organized crime, including illicit drug trafficking, economic crime, corruption, the illegal transfer of funds, crime against the environment, and crime against cultural property, *Aware* of the pressing need for increased international cooperation in order to prevent the transfer of the proceeds of illicit activities across national frontiers by criminal organizations taking advantage of gaps in international cooperation and thereby escaping detection,

Aware that the full enjoyment of human rights can be facilitated through concerted efforts by Member States to prevent and control national and transnational crime, taking into account United Nations law enforcement and human rights standards,

Concerned at the fact that criminal prosecution and the gathering of evidence are made difficult when witnesses to the commission of a crime are absent from the State in which the crime was committed,

Aware of the growing threat to society that crime against the environment represents, in particular with regard to the mismanagement and illicit dumping of hazardous waste,

Alarmed by the growth of urban criminality and the threat that it poses to urban and national development, in particular in the context of fragile economies and rapid social change,

Aware that the mass media, by focusing on violence in, *inter alia*, films and reports, often may have negative consequences, but also aware that the mass media can play a very positive role in crime prevention and criminal justice by explaining, *inter alia*, complex factors that condition the various manifestations of delinquency,

Recalling Economic and Social Council resolutions 1992/23 of 30 July 1992, on organized crime, and 1993/27 of 27 July 1993, on proposed guidelines for the prevention of urban crime,

According central importance to matters of crime prevention and criminal justice,

Expressing the desire to pursue collectively intensive multilateral cooperation under the auspices of the United Nations,

I. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme

1. *Takes note* of the important processes of democratization, strengthening the rule of law and increasing transparency in States, and recommends that the international community should support such efforts as part of its contribution to sustainable development;

2. *Urges* Member States to intensify their efforts to strengthen the rule of law by means of international cooperation and practical technical assistance;

3. *Reaffirms* the importance of the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*[2] in strengthening the rule of law at the national and regional levels;

4. *Invites* Member States to improve policy development, increase the use of bilateral or multilateral cooperation agreements and, where necessary, conduct more extensive research on transnational organized crime, terrorist crimes and their links, violent activities in urban areas, illicit drug trafficking, illicit arms trafficking, international trafficking in minors, alien smuggling, economic crime, forgery of currency,

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[2] United Nations publication, Sales No. E.92.IV.1.

environmental crime, corruption, crime against cultural property, motor vehicle theft, computer and telecommunications-related crime, money-laundering and the infiltration of legitimate economies by organized criminal groups, and the effects of those activities on society;

5. *Calls on* Member States to intensify their efforts aimed at more consolidated cooperation and coordination in crime prevention and criminal justice, in order to establish integrated regional policies, programmes, plans and mechanisms, having due regard to common social and religious traditions and values, taking into account United Nations norms and standards in crime prevention and criminal justice;

6. *Calls on* Member States to intensify subregional and regional cooperation in crime prevention and criminal justice within the framework of regional arrangements, infrastructure and mechanisms;

7. *Invites* Member States actively to support the United Nations crime prevention and criminal justice programme in organizing and carrying out operational activities by means of extrabudgetary contributions;

8. *Encourages* Member States to organize study tours and the exchange of criminal justice officials, with a view to promoting mutual understanding and to developing joint strategies to overcome common problems;

9. *Calls on* Member States to contribute to the United Nations Crime Prevention and Criminal Justice Fund, with a view to sustaining existing and providing for future technical assistance projects in the field of crime prevention and criminal justice;

10. *Invites* the Commission on Crime Prevention and Criminal Justice to call on the United Nations Development Programme, the World Bank and other international, regional and national funding agencies to support technical cooperation activities devoted to strengthening the rule of law and cooperation with the United Nations crime prevention and criminal justice programme, in order to ensure proper coordination;

11. *Notes*, especially in view of the increasing number of requests from Member States for technical assistance, General Assembly resolutions 46/152 of 18 December 1991, 47/91 of 16 December 1992 and 48/103 of 20 December 1993 and Economic and Social Council resolutions 1992/22 of 30 July 1992 and 1993/34 of 27 July 1993 in which the Secretary-General is requested to provide the resources required to implement the United Nations crime prevention and criminal justice programme and to upgrade the Crime Prevention and Criminal Justice Branch of the Secretariat to a division headed by a director;

12. *Invites* the Commission on Crime Prevention and Criminal Justice to encourage the Secretary-General, as a way of strengthening the rule of law, to recommend, upon request, the inclusion of the re-establishment and reform of criminal justice systems in peace-keeping operations;

13. *Takes note with appreciation* of the project for the provision of practical assistance to Cambodia in the re-establishment of its criminal justice system, and of other operational activities in various States, proposed and undertaken by the Crime Prevention and Criminal Justice Branch of the Secretariat, with a view to improving criminal justice systems and strengthening the rule of law;

14. *Invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to further strengthen operational activities in developing countries and countries in transition, by providing, drawing upon extrabudgetary contributions, advisory services and training programmes and by carrying out field studies at the national level;

15. *Invites* the Commission on Crime Prevention and Criminal Justice to call on all relevant international, intergovernmental and non-governmental organizations to continue cooperating with the United Nations in developing manuals and training curricula and in organizing courses in the various areas of crime prevention and criminal justice.

II. Action against transnational and organized crime, and the role of criminal law in the protection of the environment: national experiences and international cooperation

1. *Urges* Member States to consider the establishment and reinforcement of cooperation in the form of, *inter alia*, practicable arrangements for the effective prevention and control of transnational and organized crime, including the proceeds of such crime, with emphasis on extradition and mutual assistance, in order to avoid impunity of offences committed fully or partially in different countries;

2. *Urges* Member States to establish the principle of the broadest possible cooperation among States, with regard to the institution of extradition, taking into account the rights of the accused and also the interests of the victims;

3. *Urges* Member States that have not yet done so to update their domestic legislation, taking into account developments and trends identified by the United Nations Congresses on the Prevention of Crime and the Treatment of Offenders and United Nations standards and norms in the field of crime prevention and criminal justice;

4. *Calls on* Member States to promote further cooperation between their national crime prevention and criminal justice sectors in order to undertake international action against transnational organized crime, terrorist crimes and their links, violent activities in urban areas, illicit drug trafficking, illicit arms trafficking, international trafficking in minors, alien smuggling, economic crime, forgery of currency, environmental crime, corruption, crime against cultural property, motor vehicle theft, computer and telecommunications-related crime, money-laundering and the infiltration of legitimate economies by organized criminal groups, and the effects of those activities on society, and also to improve the exchange of information, in particular at the regional level;

5. *Calls on* Member States to facilitate transnational criminal investigations by extending legal assistance to each other, with a view to promoting effective international cooperation;

6. *Calls on* Member States to study ways of promoting prompt mutual assistance in criminal procedures, and adopting penalties related to the possession of the proceeds of economic crime;

7. *Recommends* that Member States should consider establishing multidisciplinary units specialized in the investigation of economic or financial crime and help to identify the major commercial networks influenced by the transnational criminal organizations in order to make the prevention and monitoring of such crime more effective;

8. *Urges* Member States to cooperate in identifying specific measures against corruption, bribery and the abuse of power;

9. *Also urges* Member States to cooperate in identifying and combating new forms of transnational organized crime, terrorist crimes and their links, and to provide further assistance at the international, regional and bilateral levels in order to prevent and combat such crime effectively, including the conclusion of relevant mutual-assistance agreements;

10. *Calls on* Member States to strengthen their cooperation in exchanging information on national experiences and practices regarding transnational organized crime, terrorist crimes and their links and to supply, on a regular basis, data and other information on such experiences and practices to the Crime Prevention and Criminal Justice Branch of the Secretariat;

11. *Calls on* Member States to enact legal provisions, where necessary, including the establishment of enforcement and monitoring mechanisms, concerning economic crime, such as corruption, fraud, embezzlement and money-laundering, each of which often constitutes a link in a larger chain of offences that have a tremendous negative impact on the economic situation of regions;

12. *Requests* Member States to consider developing appropriate legislation concerning the registration of unregistered imported motor vehicles and other appropriate measures, in order to promote international cooperation in combating theft and illegal traffic of motor vehicles;

13. *Invites* the Commission on Crime Prevention and Criminal Justice to consider effective measures on the prevention and suppression of illegal traffic in motor vehicles;

14. *Calls on* Member States:

(a) To consider enacting environmental protection legislation reflecting the importance of a healthy environment, in order to preserve and protect the environment;

(b) To consider enacting penal provisions on the protection of the environment and to consider the protection of endangered species and cultural property under similar provisions;

(c) To consider the creation of special bodies in the protection of the environment, such as special prosecutors or specialized investigative bodies, bearing in mind the role such bodies can play in developing skills and raising public awareness;

(d) To consider encouraging the inclusion of the role of criminal law in the protection of the environment as a subject in curricula for the study of criminal law and the training of law enforcement and criminal justice personnel;

15. *Requests* the Commission on Crime Prevention and Criminal Justice, in its review of priority themes, to place special emphasis on the development of strategies for the effective prevention and control of transnational and organized crime and on the role of criminal law in the protection of the environment;

16. *Invites* the Commission on Crime Prevention and Criminal Justice to consider the feasibility of requesting the Secretary-General to establish an integrated system of periodic gathering and dissemination of information on national legislation in crime prevention and criminal justice and its implementation, and urges Member States to provide the relevant data to encourage progressive alignment regarding, *inter alia*, international cooperation, extradition and other bilateral and multilateral modalities of mutual assistance in criminal matters;

17. *Also invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to continue studying the actual situation of transnational and organized crime and effective measures for its control;

18. *Further invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to assist Member States, upon request, in adjusting their national legislation with a view to making the investigation, prosecution and adjudication of transnational crime more effective;

19. *Further invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to ensure close coordination between the Crime Prevention and Criminal Justice Branch of the Secretariat and other United Nations entities, in particular the United Nations International Drug Control Programme and the Centre for Human Rights, including the sponsorship of joint activities, and to encourage further cooperation with the International Criminal Police Organization and the other international and intergovernmental bodies concerned, through joint programmes and projects;

20. *Urges* Member States that have not yet ratified or acceded to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 to do so as soon as possible, since the Convention is the most important multilateral instrument against drug-related transnational organized crime.

III. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution courts and corrections; and the role of lawyers

1. *Urges* Member States to monitor training and development of law enforcement and criminal justice personnel and to promote operational research aimed at designing, on a more scientific basis, plans to curb crime and upgrade the skills of law enforcement and criminal justice personnel;

2. *Calls upon* Member States to ensure the independence and impartiality of the judiciary and the proper functioning of prosecutorial and legal services, taking into account the Basic Principles on the Independence of the Judiciary,[3] adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and the Guidelines on the Role of Prosecutors[4] and the Basic Principles on the Role of Lawyers,[5] adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

3. *Urges* Member States where appropriate to increase the use of non-custodial measures, to reduce both the use of detention and the prison population, taking into account the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules),[6] in order to improve the administration of justice;

4. *Urges* Member States to ensure the most basic needs and rights of detainees and encourages the mobilization of donor countries and international funding agencies to support developing countries in their efforts to improve prison conditions;

5. *Calls on* Member States to take effective measures against the spread of the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and other diseases among the prison population;

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[3] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August - 6 September 1985* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2.

[4] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August - 7 September 1990* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. C.26.

[5] Ibid, sect. B.3.

[6] General Assembly resolution 45/110, annex, of 14 December 1990.

6. *Affirms* that it is essential for law enforcement and criminal justice personnel to respect human rights and, in so doing, contribute to the effectiveness of criminal justice and law enforcement systems and the acceptance of those systems by the local community;

7. *Calls on* Member States:

(a) To consider adopting the community policing approach as a method of delivering police services with a view to reducing the social distance between law enforcement officials and the public they serve, and to enhance police visibility and public confidence;

(b) To promote cooperation and forge appropriate partnerships with local communities and the private sector when undertaking crime prevention activities;

8. *Recommends* that Member States should consider strengthening the role of the office of the public prosecutor, in particular strengthening its autonomy, bearing in mind the Guidelines on the Role of Prosecutors, and facilitating the international exchange of teaching staff of schools for training in the respective disciplines;

9. *Also recommends* that Member States should adopt measures to enhance the professional calibre of staff in all sectors concerned with crime prevention and criminal justice, bearing in mind United Nations resolutions, guidelines and standards in that field;

10. *Urges* Member States to consider reviewing the penitentiary system, including legislation to ensure its smooth operation within the framework of the broader criminal justice system, and therefore recommends:

(a) The enhancement of coordination between the prison system and the broader criminal justice system and closer involvement in research in policy development and the drafting of legislation;

(b) The improvement of schools for the training of prison officers and personnel as an essential priority in the modernization of the system, the organization of regular training programmes, and the exchange of information and personnel between the prison administration and the academic/university community;

(c) Continued and enhanced exchange of information and technical cooperation at the international, regional and national levels, in order to further the training of correctional personnel;

(d) Use of alternatives to imprisonment for offenders, when appropriate;

(e) Preserving the dignity and rights of inmates by reviewing and changing, as necessary, the regulations that govern prison systems;

11. *Invites* the Commission on Crime Prevention and Criminal justice to request the Secretary-General to promote technical cooperation projects on penal law reform and on the modernization of criminal justice administration, particularly in the fields of data collection and computerization, the training of law enforcement officials, the promotion of non-custodial measures and prisoners' welfare, taking into account United Nations standards and norms such as the United Nations Standard Minimum Rules for Non-custodial

Measures (Tokyo Rules), the Basic Principles for the Treatment of Prisoners[7] and the World Health Organization Guidelines on HIV Infection and AIDS in Prison;[8]

12. *Also invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to play an active role in urging developed countries to provide support by supplying and maintaining technical aid for law enforcement agencies in developing countries;

13. *Further invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to expedite the dissemination of the *Commentary on the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules)*,[9] which was published pursuant to General Assembly resolution 45/110 of 14 December 1990, and welcomes the support of the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the International Penal and Penitentiary Foundation, and the Asia Crime Prevention Foundation in its preparation.

IV. Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives

1. *Invites* Member States to develop effective strategies and programmes for the prevention and control of urban crime, juvenile delinquency and violent crime, including domestic violence, and for the reduction of the levels of victimization, having due regard to the role of the family, the school, religion and the community and taking into account existing economic and social needs and conditions at the level of the whole of society;

2. *Urges* Member States, in tackling the problem of urban criminality, to develop projects related to juvenile delinquency and on the prevention and control of crimes committed against children and young persons, with special emphasis on the problem of street children and their exploitation for criminal purposes;

3. *Invites* Member States to pay special attention to the provision of crime prevention activities aimed at young children, with a view to studying the factors associated with criminality and establishing appropriate prevention mechanisms, including counselling services;

4. *Expresses its concern* about the plight of victims of crime and urges the full use and application of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and intensified action for the protection of and assistance to victims at the national and international levels, including training, action-oriented research and on-going information exchange and other means of cooperation in this field;

5. *Recommends* that the Commission on Crime Prevention and Criminal Justice consider the possible impact of migratory flows on urban criminality;

6. *Also invites* Member States to consider the problems arising from migratory flows, particularly with regard to the integration of migrants within various social and cultural contexts and the risks that they run

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[7] General Assembly resolution 45/111, annex, of 14 December 1990.

[8] WHO/GPA/DIR/93.3.

[9] ST/CSDHA/22.

of being victims of, or becoming involved in, criminal activities, and urges Member States to take such concerns fully into account when drawing up strategies for crime prevention in urban areas;

7. *Urges* Member States to adopt, as appropriate, short-term and medium-term preventive measures in such fields as urban planning, housing, education and vocational training, as well as recreational and sports facilities, in high-risk areas;

8. *Calls upon* Member States to make every effort to adopt effective measures to combat racism, racial discrimination, xenophobia and related intolerance in all their forms;

9. *Calls on* Member States to promote the adequate regulation of firearms and other high-risk weapons by means of both regulations and law enforcement with a view to diminishing violent criminality;

10. *Invites* Member States to continue actively to support the organization of workshops and training programmes on the subject of urban criminality, paying specific attention to the interrelationship between urban criminality and social development;

11. *Welcomes* with satisfaction the proposed guidelines for cooperation and technical assistance in the field of urban crime, annexed to Economic and Social Council resolution 1994/20, and invites the Commission on Crime Prevention and Criminal Justice, at its fourth session, to finalize and adopt them;

12. *Urges* Member States to develop educational, social and other programmes based on mutual respect and tolerance in order to lower the level of violence in society, with special emphasis on the importance of conflict-prevention and conflict-management mechanisms, alternative dispute resolution mechanisms and other resolution mechanisms, and on the primordial importance of education, at all levels and for all sectors of society;

13. *Also urges* Member States to give attention to public awareness and to promote the role of information in crime prevention, and invites the Commission on Crime Prevention and Criminal Justice to consider requesting the Secretary-General, in collaboration with specialized research centres and experts, to prepare a manual for public awareness campaigns, to be used to guide States in formulating national public awareness programmes;

14. *Recommends* that Member States examine the cost-effectiveness of crime prevention measures and custodial and non-custodial sanctions;

15. *Further urges* Member States to adopt policies on the prevention of juvenile delinquency and to enact, where necessary, appropriate legislation on juvenile justice, taking into account the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules),[10] the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines)[11] and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[12] which are effective instruments for addressing juvenile delinquency and promoting juvenile justice;

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[10] General Assembly resolution 40/33, annex, of 29 November 1985.

[11] General Assembly resolution 45/112, annex, of 14 December 1990.

[12] General Assembly resolution 45/113, annex, of 14 December 1990.

16. *Invites* the Commission on Crime Prevention and Criminal Justice to call on the regional commissions of the Economic and Social Council, the institutes comprising the United Nations crime prevention and criminal justice programme network and other relevant entities to cooperate closely with each other in planning and implementing joint activities in the area of juvenile justice;

17. *Recommends* that Member States should establish where necessary local, regional and national bodies for crime prevention and criminal justice, with the active participation of the community, recognizing that the problem of urban violence and crime in all its forms and manifestations gravely impinges on community life;

18. *Calls on* Member States to consider allocating necessary resources or reallocating existing resources to facilitate the development, if necessary, of local, regional and national bodies to implement crime prevention measures;

19. *Recommends* that the fundamental rights of children and young persons in relation to crime prevention and criminal justice should be reaffirmed;

20. *Invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General, within existing resources:

(a) To continue studying the effects of criminality in urban areas, the factors contributing to it and measures for its effective prevention, taking into consideration recent developments in *inter alia* sociology, child and adolescent psychology, health, criminology and technology, including environmentally sound planning, city planning and housing design;

(b) To organize seminars and training programmes to search for ways and means to prevent crime in urban and other areas;

(c) To promote technical cooperation projects on the improvement of juvenile justice systems, taking into account the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.[13]

2. International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling that the General Assembly, in the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, annexed to its resolution 46/152 of 18 December 1991, established among the goals of the programme, *inter alia*, the strengthening of regional and international cooperation in criminal justice, more efficient and effective administration of justice, with due respect for human rights, and the promotion of the highest standards of fairness, humanity, justice and professional conduct,

Calling attention to the discussions at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on international cooperation and practical technical assistance for strengthening the rule of law, and in particular the discussions in the workshop on extradition and international cooperation, on specific problems in extradition and related forms of international cooperation and on methods of overcoming those problems, as well as on how extradition and other international cooperation should function, on general impediments to extradition and on how to balance extradition obligations against reasonable grounds for denial,

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[13] Ibid.

Noting that the United Nations model treaties on international cooperation in criminal matters provide an important tool for the development of international cooperation,

Noting also the important contribution of intergovernmental and non-governmental organizations to the promotion of bilateral and multilateral agreements on such international cooperation, including the recommendations adopted by the International Law Association at its sixty-sixth conference, held at Buenos Aires, from 14 to 20 August 1994, on extradition and human rights, by the International Association of Penal Law at its fifteenth congress, held at Rio de Janeiro, Brazil, from 4 to 10 September 1994, on the regionalization of international criminal law and the protection of human rights in international cooperation in criminal proceedings, and by the Ad Hoc Expert Group on Implementing Legislation to Foster Reliance on Model Treaties, which met from 18 to 21 October 1993 at Vienna,

Noting further the discussion of the workshop on the topic "Extradition and international cooperation: exchange of international experience and implementation of relevant principles in national legislation", organized within the framework of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

1. *Urges* the Commission on Crime Prevention and Criminal Justice to consider, subject to the availability of extrabudgetary funds, the convening of a meeting of an intergovernmental expert group to examine practical recommendations for the further development and promotion of mechanisms of international cooperation, including the United Nations model treaties on international cooperation in criminal matters as well as for the development of model legislation on extradition and related forms of international cooperation in criminal matters;

2. *Recommends* that the expert group should, in the light of the discussion of the workshop at the Ninth United Nations Congress, explore ways and means of increasing the efficiency of extradition and related mechanisms of international cooperation in criminal matters, having due regard to the rule of law and the protection of human rights, including, where appropriate, such measures as:

(a) The provision of technical assistance in the development of bilateral and multilateral agreements based on the United Nations model treaties and other sources; and

(b) The drafting of model legislation or agreements on international cooperation in criminal matters, alternative or complementary articles for existing model treaties, and articles for possible model multilateral instruments;

3. *Recommends* that a report on the implementation of the present resolution should be submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session.

3. International instruments, such as a convention or conventions against organized transnational crime

The United Nations Ninth Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling General Assembly resolution 46/152 of 18 December 1991, in which the Assembly approved the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, annexed to that resolution,

Acknowledging with appreciation the work of the World Ministerial Conference on Organized Transnational Crime, held at Naples from 21 to 23 November 1994, in particular the debates on items 8 and 9 of its agenda, as well as its recommendations on the feasibility of international instruments, including conventions, against organized transnational crime,

Also acknowledging with appreciation the work of the International Conference on Preventing and Controlling Money-Laundering and the Use of the Proceeds of Crime, held at Courmayeur, Italy, from 18 to 20 June 1994, organized by the International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme and the Government of Italy, under the auspices of the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna,

Noting regional initiatives in this field, such as those that have been conducted for many years and are being conducted by the Council of Europe, the European Union, the Financial Action Task Force, and the Organization of American States,

Recognizing the value of States developing regional instruments to strengthen cooperation among countries in their fight against money-laundering, taking into account the specific features of the phenomenon in the region and the obstacles that make a coordinated answer at the regional level difficult,

Recognizing also that it is highly desirable for all States to agree on ways to maximize their cooperation against organized crime so as to ensure greater effectiveness and flexibility and to incorporate innovative modalities, both substantive and procedural, in their legislation,

Further recognizing that elaborating international instruments, such as a convention or conventions, could make it possible for activities aimed at organized crime to be coordinated, resulting in considerable opportunities for successful action,

Conscious that such instruments could provide mutual benefits for all States,

1. *Invites* the Commission on Crime Prevention and Criminal Justice to give priority to initiating the process called for by the World Ministerial Conference on Organized Transnational Crime, Naples Political Declaration and Global Action Plan against Organized Transnational Crime,[14] by requesting the views of Governments on the opportunity of elaborating new international instruments such as a convention or conventions and on the issues and elements that could be covered therein. The Commission is also requested to consider whether it would be helpful to propose to Governments a list of issues or elements which might be dealt with in such instruments; possible examples for the Commission to consider are given in the annex to the present resolution;

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[14] A/49/748, chap. I, A, para. 34.

2. *Requests* the Commission to ask the Secretary-General to give the necessary assistance to ensure the implementation of the present resolution.

Annex

MATTERS ON WHICH VIEWS MIGHT BE SOUGHT FOR CONSIDERATION AND POSSIBLE INCLUSION IN INTERNATIONAL INSTRUMENTS, SUCH AS A CONVENTION OR CONVENTIONS, AGAINST ORGANIZED TRANSNATIONAL CRIME

If the responses of Member States and the decision of the Commission on Crime Prevention and Criminal Justice were to be favourable to elaboration of new international instruments, such as a convention or conventions, the following matters are examples which might be considered for inclusion in such an instrument or instruments, as well as others which might be suggested by Governments, to the extent that they would not interfere with the effectiveness of existing arrangements:

(a) Problems and dangers posed by organized crime;

(b) National legislation dealing with organized crime and guidelines for legislative and other measures;

(c) International cooperation at the investigative, prosecutorial and judicial levels;

(d) Modalities and guidelines for international cooperation at the regional and international levels;

(e) Feasibility of various types of international instruments, including conventions, against organized transnational crime;

(f) Prevention and control of money-laundering and control of the proceeds of crime;

(g) Follow-up and implementation mechanisms.

4. Links between terrorist crimes and transnational organized crime

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Aware of the increasing danger of links between terrorist crimes and organized crime as these phenomena continue to expand rapidly throughout the world and to assume new forms and dimensions, at the national and international levels,

Recognizing that there are similarities between organized crime and terrorist crimes as reflected in their transnational nature and illicit methods, with their use of physical force, plundering of property, extortion, kidnapping, forgery and falsification, illicit trafficking in arms and in drugs, illicit transactions and money-laundering,

Deeply concerned by the threats posed by such crimes to national and international security and stability, democracy, the rule of law, the enjoyment of human rights and economic and social development, *Confirming* the recommendations embodied in the Milan Plan of Action,[15] adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, on giving priority to the fight against terrorism in all its forms and on launching major efforts to control and eventually eradicate the phenomenon of organized crime,

Taking into consideration the resolution on organized crime[16] adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the Eighth Congress expressed its concern at the alarming threat and acknowledged gravity of the offences committed by organized crime, especially terrorism, drug trafficking, traffic in arms and persons, and offences against ecosystems and cultural property,

Recalling General Assembly resolutions 48/122 of 20 December 1993 and 49/185 of 23 December 1994,

Recalling also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Taking into consideration that the Economic and Social Council, in section III of its resolution 1994/19 of 25 July 1994, invited the Ninth Congress to consider terrorist crimes,

Referring to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime,[17] in which the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994, expressed its determination to join forces against the expansion and diversification of organized transnational crime, noting with grave concern links between organized transnational crime and terrorist crimes, and to direct particular efforts to counter the ability of criminal organizations to use violence and terror,

Taking into consideration the Declaration on Measures to Eliminate International Terrorism adopted by the General Assembly in its resolution 49/60 of 9 December 1994, according to which the States Members of the United Nations solemnly reaffirmed their unequivocal condemnation of all acts, methods and practices of terrorism, as criminal and unjustifiable whenever and by whomever committed,

Recognizing the seriousness of the links between transnational organized crime and terrorist crimes, which necessitates preventive and effective measures, in conformity with the principles of international law,

1. *Unequivocally condemns* organized crime and terrorist crimes, as well as their various forms, aspects and practices, wherever they are committed and whoever their perpetrators may be, and considers them to be crimes which may aim at the destruction of human rights, fundamental freedoms and democracy, threaten the territorial integrity and security of States, destabilize legally constituted Governments, undermine pluralist civil society and have adverse consequences on the economic and social development of States;

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[15] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August - 6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. A.

[16] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August - 7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. C.15.

[17] A/49/748, annex, chap. I, sect. A.

2. *Calls upon* States to take effective national measures, as required, in accordance with the principles of international law in the areas of legislation, investigation and law enforcement, in order to ensure the prevention and suppression of terrorist crimes and transnational organized crime;

3. *Urges* States to enhance international cooperation, taking into account the various legal systems, in accordance with universally recognized human rights standards and the principles of international law, for the sake of combating terrorist crimes and transnational organized crime and their links;

4. *Calls upon* States to cooperate, to exchange technical information and to share experiences in combating the use of the proceeds of crime, in particular organized crime, for financing terrorist crimes and to cooperate in the legal and judicial fields, particularly with regard to the extradition of offenders, by means of bilateral, regional or international conventions or other arrangements between States concerned;

5. *Invites* the Commission on Crime Prevention and Criminal Justice to call upon institutes and centres for crime prevention and criminal justice to devote the required attention to studying the links between transnational organized crime and terrorist crimes, their effects, and appropriate means for countering them;

6. *Invites* the Commission to request the competent United Nations bodies to collect information on the links between transnational organized crime and terrorist crimes and to coordinate their activities and to facilitate the access of States to such information;

7. *Invites* the Commission to establish an open-ended intergovernmental working group, within its framework, to consider measures for combating transnational organized crime, with due regard to the growing danger of links with terrorist crimes, with the aim of drafting a code of conduct or other legal instrument; such a working group would report to the Commission on its work;

8. *Recommends* that the Commission include on the agenda of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders an item entitled "The links between transnational organized crime and terrorist crimes".

5. Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice systems in general and prison systems in particular,

Recognizing that the Standard Minimum Rules for the Treatment of Prisoners,[18] adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, are an important guideline to the development of penal policies and practices,

Considering the concern of previous United Nations congresses on the prevention of crime and the treatment of offenders regarding the various obstacles that prevent due implementation of the Standard Minimum Rules,

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[18] See *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.88.XIV.1), sect. G.

Recalling the resolutions of previous congresses on the position of prisoners, in particular the resolution on the status of prisoners[19] and the resolution on human rights for prisoners,[20] adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and General Assembly resolution 45/111 of 14 December 1990, on the Basic Principles for the Treatment of Prisoners, adopted on the recommendation of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling Economic and Social Council resolution 1994/18 of 25 July 1994, on United Nations standards and norms in crime prevention and criminal justice, adopted on the recommendation of the Commission on Crime Prevention and Criminal Justice, in which the Council endorsed the questionnaire on the Standard Minimum Rules for the Treatment of Prisoners,

Stressing the importance of the international exchange and dissemination of information and views on the practical operation of prison systems, not only among Governments but also among professional organizations, scientific institutions, non-governmental organizations and the public at large,

Being aware of the need to make prison administrations respond to forms of governmental, judicial or other supervision,

Believing that due implementation of the Standard Minimum Rules for the Treatment of Prisoners would be further facilitated by making widely available to the prison administrations of Member States a practical manual on the interpretation and application of the Standard Minimum Rules,

Taking note with appreciation of the work that has been carried out by Penal Reform International to that end in preparing a manual entitled *Making Standards Work*,

1. *Invites* Member States:

(a) To respond, if they have not yet done so, as a matter of urgency to the questionnaire on the Standard Minimum Rules for the Treatment of Prisoners;

(b) To exchange views on improving prison conditions and to strengthen their cooperation in that area;

(c) To share information, in accordance with national legislation, regarding practical conditions in penal institutions with the public at large, professional organizations, scientific institutions, and relevant non-governmental organizations;

(d) To stimulate and support studies of prison systems undertaken by the academic world and non-governmental organizations;

(e) To enhance transparency in prison systems and their functioning by providing ways and means of monitoring them by independent national bodies, such as judicial supervision or parliamentary control, duly authorized independent complaint commissions or an ombudsman;

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[19] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. E.10.

[20] Ibid., sect. E.17.

2. *Invites* the Commission on Crime Prevention and Criminal Justice to keep the matter of prison conditions under regular review and, in particular, recommends that the open-ended in-sessional working group on United Nations standards and norms in crime prevention and criminal justice should discuss, at the fourth session of the Commission, the establishment of efficient information-gathering mechanisms to that end, taking into account the forthcoming results of the United Nations survey on the use and application of the Standard Minimum Rules for the Treatment of Prisoners;

3. *Invites* the Commission on Crime Prevention and Criminal Justice to consider distributing the manual prepared by Penal Reform International among Member States of the United Nations for their use and consideration and to seek their advice with a view to the preparation of a subsequent version of the manual, to be considered by the Commission.

6. Criminal justice management in the context of accountability of public administration and sustainable development

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind that criminal justice administrators should be answerable for their performance in the criminal justice system and that all administrators are responsible for humane and efficient criminal justice operations,

Bearing in mind also that criminal justice management is a part of public administration accountable to the public at large,

Emphasizing that criminal justice operations should be part of a policy of sustainable development of resources that includes ensuring justice and the safety of citizens,

Recalling the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, annexed to General Assembly resolution 46/152 of 18 December 1991, which stipulates that in determining areas of priority of the programme, consideration should be given to, *inter alia*, empirical evidence, including research findings and other information on the nature and extent of crime and on trends in crime,

Recalling General Assembly resolution 45/109 of 14 December 1990, on computerization of criminal justice, in which the Assembly requested the Secretary-General to establish an international group of experts that would, *inter alia*, review and assess national experiences in the computerization of criminal justice,

Recalling the resolution entitled "Management of criminal justice and development of sentencing policies" adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[21]

Considering the importance of the clearing-house functions of the Crime Prevention and Criminal Justice Branch of the Secretariat, as emphasized by the Economic and Social Council in its resolutions 1992/22, section I, of 30 July 1992 and 1993/34, section IV, of 27 July 1993 and by the Commission on Crime Prevention and Criminal Justice in its resolution 3/3 of 5 May 1994,

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[21] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August - 7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. C.19.

Conscious of the ever-changing nature of criminal activities, including new ways and means of committing and concealing criminal acts, and of the difficulties encountered by criminal justice systems in dealing with those activities, particularly in detecting and preventing such acts, in the context of rapidly developing information technology, including computerized international networking and data handling, which provide opportunities for the abuse of privacy,

Recognizing that modern types and forms of criminality present a challenge to the traditional legislative and administrative, including statistical, framework of criminal justice operations and call for modern data automation projects that facilitate system-wide administration,

Aware that the present legislative and operational capabilities of the United Nations crime prevention and criminal justice programme lag behind the challenges posed by the ever-growing sophistication, organization and internationalization of crime,

Alarmed by the fact that the various new forms of crime that have spread throughout Europe are not limited by borders of States or continents,

Convinced that global economic, political and legal transformations call for new modalities for the exchange of experiences and information in criminal justice management with a view to providing a basis for sustainable development,

Realizing that the openness of criminal justice administrators to managerial innovations in other States, with due regard to the legal, social and cultural specificity of each jurisdiction, may help to alleviate the common problem of dealing with new forms of crime resulting from a more dynamic movement of peoples and ideas, regionally and interregionally,

Mindful of the role of the United Nations Crime and Justice Information Network as a viable tool for the exchange of information in the context of changing patterns and forms of crime, criminal justice operations and crime prevention strategies,

1. *Calls upon* Member States to intensify their efforts to exchange experiences and innovations in criminal justice operations by bringing to the attention of top-level and middle-level decision makers the benefits of cross-national analyses of developments in crime and justice at the global, regional and national levels in a practical manner;

2. *Encourages* Member States, intergovernmental organizations and non-governmental professional organizations to include in their programmes of work developmental projects that deal with criminal justice management issues in a more comprehensive manner, taking into consideration accountability and sustainability;

3. *Welcomes* in this context projects dealing with global trends in conventional and transnational crime and justice issues, including the development of the United Nations Crime and Justice Information Network, which are being implemented pursuant to the Economic and Social Council resolution 1992/22, section I;

4. *Invites* Member States and intergovernmental and non-governmental organizations to contribute to the further development of the United Nations Crime and Justice Information Network, that being one of

the ways to promote a more dynamic and efficient exchange of criminal justice information within the international community;

5. *Urges* Member States, relevant intergovernmental and non-governmental organizations to become active members of the United Nations Crime and Justice Information Network by mobilizing expertise, material and other resources in order to make its services more responsive to evolving information needs;

6. *Requests* the Commission on Crime Prevention and Criminal Justice, to review the membership and databases of the United Nations Crime and Justice Information Network, with a view to increasing the participation in the Network of Member States, relevant intergovernmental and non-governmental organizations, and academic and other research institutions;

7. *Requests* the Commission on Crime Prevention and Criminal Justice, when taking forward the present resolution, to take account of work already being carried out in the United Nations and other international organizations, such as the Council of Europe, in comparing national crime and criminal justice databases.

8. *Requests* developed countries to promote the broader participation of developing countries and countries in transition in the United Nations Crime and Justice Information Network by offering them assistance in:

(a) Reviewing data and other information needs in their criminal justice operations with a view to making those operations a more accountable part of public administration;

(b) Financing the training of criminal justice and technical staff involved in collecting, providing and disseminating data and other information to be included in national criminal justice statistical databases and in the United Nations Crime and Justice Information Network; and

(c) Organizing study tours, donating computer equipment and programs, and covering telecommunication expenses;

9. *Requests* the Commission on Crime Prevention and Criminal Justice to consider the establishment of an ad hoc expert group on statistical and computerized criminal justice applications to advise the Commission, through the Secretary-General, on related technical cooperation projects, including their funding by the public and private sectors;

10. *Requests* the Commission on Crime Prevention and Criminal Justice to consider improving the management and information functions of the Crime Prevention and Criminal Justice Branch of the Secretariat and other elements of the United Nations crime prevention and criminal justice programme to reflect the resolve of the international community to pursue the programme priorities determined in accordance with the statement of principles and programme of action of the programme, annexed to General Assembly resolution 46/152;

11. *Requests* the Commission on Crime Prevention and Criminal Justice to consider asking the Secretary-General to prepare for the consideration of the Commission a model plan on criminal justice management, commensurate with the priorities of the United Nations crime prevention and criminal justice programme, and to report to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the implementation of that action plan.

7. Children as victims and perpetrators of crime and the United Nations criminal justice programme: from standard setting towards implementation and action

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind the Convention on the Rights of the Child,[22] the Declaration on the Rights of the Child,[23] the United Nations Standard Minimum Rules for the Administration of Juvenile Justice,[24] the United Nations Guidelines for the Prevention of Juvenile Delinquency,[25] and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[26]

Recognizing that children should enjoy the guarantees, protection and benefit of all human rights recognized in various United Nations instruments, including the Universal Declaration of Human Rights,[27] the International Covenant on Economic, Social and Cultural Rights,[28] the International Covenant on Civil and Political Rights,[28] the Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child,

Noting that the Convention on the Rights of the Child had been ratified by 174 States as of 21 April 1995,

Also noting the recommendations of the expert group meeting on children and juveniles in detention: application of human rights standards, pursuant to Commission on Human Rights resolution 1993/80, held at Vienna from 30 October to 4 November 1994,

Strongly condemning all forms of violence against children and all other violations of their human rights,

Emphasizing that the protection of human rights is a significant consideration within the criminal justice system as a whole, and particularly with regard to children,

Welcoming the role of specialized agencies, non-governmental organizations and the community at large in promoting greater public awareness and more effective action aimed at preventing violence against children, *inter alia*, by drawing attention to the nature, severity and magnitude of violence against children and by assisting children who are victims of violence,

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[22] General Assembly resolution 44/25, annex, of 20 November 1989.

[23] General Assembly resolution 1386(XIV) of 20 November 1959.

[24] General Assembly resolution 40/33, annex, of 29 November 1985.

[25] General Assembly resolution 45/112, annex, of 14 December 1990.

[26] General Assembly resolution 45/113, annex, of 14 December 1990.

[27] General Assembly resolution 217 A(III) of 10 December 1948.

[28] General Assembly resolution 2200 A(XXI) of 16 December 1966.

Recognizing the need for a continuing exchange of information between the various bodies entrusted with the tasks of preventing and combating violence against children,

Convinced that strengthened cooperation at the local, national, regional and international levels is needed to protect children, particularly from becoming victims of crime,

1. *Reaffirms* the importance of the full implementation of all relevant United Nations human rights instruments in the administration of justice, in particular with regard to children, and the effective use and application of United Nations juvenile justice standards and norms;

2. *Recommends* that the Commission on Crime Prevention and Criminal Justice invite the Secretary-General to consider ways of elaborating a programme of action aimed at promoting the effective use and application of those instruments, standards and norms, giving due regard to the work accomplished within the Commission on Human rights, and in cooperation with the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and other agencies and organizations concerned, within existing resources;

3. *Calls upon* States to support the United Nations crime prevention and criminal justice programme in developing initiatives, approved by the Commission on Crime Prevention and Criminal Justice, to promote universal recognition and effective use and application of these instruments, standards and norms in the administration of justice, in particular with regard to children;

4. *Also calls upon* States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the effective use and application of those instruments, standards and norms at the national level;

5. *Calls upon* all States to give due regard to the special situation of children in order to render measures for crime prevention effective;

6. *Recommends* that the Commission on Crime Prevention and Criminal Justice consider integrating United Nations standards and norms on juvenile justice into the current process of information-gathering;

7. *Urges* States that are not yet parties to the Convention on the Rights of the Child to become parties to it and urges States that are parties to it to consider withdrawing those reservations that are incompatible with the object and purpose of the convention on the Rights of the Child and particularly those relevant to the issue of violence against children. Countries which are parties are urged to submit their reports to the Committee on the Rights of the Child in a timely manner;

8. *Recommends* that States, in a manner consistent with the procedural rules of national law and the administration of justice, with regard to children, should enable children to participate, as appropriate, in criminal justice proceedings, including the investigative stage and throughout the trial and post-trial process period, to be heard and given information about their status and any proceedings that might subsequently take place;

9. *Requests* the Commission on Crime Prevention and Criminal Justice to invite the Secretary-General to continue including in the various advisory services and technical assistance programmes specific arrangements for technical assistance in the field of criminal justice and the administration of justice, with regard to children. Such assistance may include technical advice in law and criminal justice reform, including the promotion of alternative measures, such as alternatives to custody, diversionary programmes, alternative dispute resolution, restitution, family conferences and community services;

10. *Recommends* to the Commission that technical cooperation programmes in the field of administration of justice with regard to children should entail appropriate evaluation and follow-up procedures and that United Nations regional institutes, the United Nations Children's Fund, other relevant United Nations bodies, national institutions and non-governmental organizations should be involved as appropriate;

11. *Invites* States, in cooperation with the relevant United Nations bodies and institutions, to develop multidisciplinary training, taking into account national and international instruments, standards and norms with respect to juvenile justice and human rights for law enforcement personnel and other professionals concerned with children. Training should further include information on child development, improving communication with children, increasing knowledge on available facilities for their treatment and rehabilitation of child victims and offenders;

12. *Recommends* that States ensure that all structures, procedures and programmes in the administration of justice with regard to child offenders should promote assistance to allow children to take responsibility for their actions and to encourage, *inter alia*, reparation, mediation and restitution, especially for the direct victims of the crime;

13. *Calls upon* States to explore measures to ensure compliance with the principle that the deprivation of liberty should only be used as a measure of last resort and for the shortest appropriate period of time, both before trial and after conviction, bearing in mind the high rate of children on remand and the considerable amount of time they must often spend in custody;

14. *Recommends* that States, together with national and international organizations, explore means to foster the independent monitoring of juvenile detention and other custodial facilities, specifically the conditions under which children are deprived of their liberty, focusing on, *inter alia*, access of relatives, public institutions, other duly authorized persons and organizations, including non-governmental organizations, to such facilities, the problem of overcrowding, educational and vocational training, the amount of physical exercise and other activities and the frequency and seriousness of physical and sexual assault and self-inflicted injuries and suicide;

15. *Calls upon* all States, as well as intergovernmental bodies and non-governmental organizations, in accordance with the Convention on the Rights of the Child and taking into consideration the United Nations Guidelines for the Prevention of Juvenile Delinquency, to take all possible steps to eliminate violence against children, including in the family, whether such violence is perpetrated or condoned by the State or by individuals;

16. *Urges* States and relevant international bodies to promote research, collect data and compile statistics relating to the extent and incidence of different forms of violence against children, including the phenomenon of their exploitation and of their use as instruments in criminal activities, and to encourage research on their causes, nature, seriousness and consequences and on the effectiveness of measures implemented to prevent and redress such violence;

17. *Also urges* States to study and exchange information on the extent to which the experiences of violence suffered by children contribute to their subsequent criminal or deviant behaviour and/or mental health problems;

18. *Urges* States to develop and implement prevention and early intervention and treatment programmes for perpetrators and victims to treat all effects of violence, in order to seek to put an end to the cycle in which abusive behaviour is transmitted from generation to generation;

19. *Further urges* States, in order to eliminate all forms of violence against children, to adopt, in the absence of existing laws, initiatives including:

(a) Legislation to impose effective sanctions on perpetrators of acts of violence against children;

(b) Measures to reduce the wrong suffered by children who are subjected to violence;

(c) Measures to facilitate the in-court proceedings of child victims of violence and provisions for assistance services for child witnesses and victims;

(d) Measures to investigate properly acts of violence against children;

(e) Measures to prohibit the sexual abuse and exploitation of children, including the exploitation of children for the purpose of prostitution;

(f) Measures to prohibit traditional practices prejudicial to the health of children, including female genital mutilation;

(g) Measures to prohibit, in accordance with national legal systems, the production, possession, distribution and import of pornographic material involving children;

(h) Intervention programmes and treatment services to modify, always taking into consideration their human rights, the behaviour of offenders and at the same time ensuring the safety of children subjected to violence;

(i) Legislation to regulate the acquisition (with emphasis on safeguards concerning the furnishing by adults of firearms to children), the storage in the home and use of firearms;

(j) Measures to facilitate education in positive and non-violent child-caring practices.

20. Further urges States to ensure that children subjected to violence have access to assistance that meets their needs, such as, *inter alia*, access to support services, including legal assistance, to economic assistance, to counselling and to health and social services in order to promote their safety and physical and psychological recovery and social reintegration;

21. *Further urges* States to develop programmes in schools that promote non-violence, mutual respect and tolerance and programmes that enhance students' self-confidence and self-esteem and that teach students how to resolve their conflicts in a peaceful manner;

22. *Requests* States to promote and support public education and information activities to heighten public awareness of violence against children and of its criminal nature;

23. *Urges* States to invite, while respecting the freedom of the media, the media, media associations, media self-regulatory bodies, schools and other relevant partners to consider developing appropriate measures and mechanisms such as public education about the media, public awareness campaigns, codes of ethics and self-regulatory measures on media violence to contribute to the eradication of violence against children and to enhance respect for their dignity, by discouraging the perpetuation of pro-violence values;

24. *Requests* States to cooperate at the international level, through the use of bilateral, regional or multilateral mechanisms, in enforcing legislation on violence against children;

25. *Invites* States to examine ways, consistent with their national legal systems, of ensuring that prosecution of illicit traffic in children and other violent acts against them, including sexual exploitation of children for commercial purposes, committed abroad by one of their nationals, is not prevented by gaps in international cooperation and that these acts are effectively sanctioned;

26. *Invites* the Commission to initiate the process of requesting the views of States regarding the process of elaborating an international convention on the illicit traffic in children, which may embody necessary elements to efficiently combat this form of transnational organized crime;

27. *Urges* States to take effective action to protect children from violence in situations of armed conflict, including such forms of violence as murder, torture, rape, sexual slavery and forced pregnancy, by making every effort, *inter alia*:

(a) To ensure respect for international humanitarian law, as well as international human rights instruments; and

(b) To ensure that children subjected to violence in situations of armed conflict have safe and timely access to assistance by humanitarian organizations;

28. *Requests* the Commission on Crime Prevention and Criminal Justice to invite the Secretary-General to consider publishing and widely distributing the draft United Nations manual on juvenile justice, when it has been finalized, by the United Nations Crime Prevention and Criminal Justice Branch of the Secretariat, in cooperation with the Centre for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the Committee on the Rights of the Child and the United Nations Children's Fund;

29. *Also requests* the Commission to ensure that Strategies for Confronting Domestic Violence: a Resource Manual, which is based on a draft prepared by the Government of Canada, in cooperation with the Crime Prevention and Criminal Justice Branch of the Secretariat and the European Institute of Crime Prevention and Control affiliated with the United Nations, and currently available in English only, is published in the other official languages of the United Nations, subject to the availability of regular budgetary or extrabudgetary funds;

30. *Further requests* the Commission to invite the Secretary-General to enhance inter-agency cooperation within the United Nations system in the field of the administration of justice with regard to children by, *inter alia*, ensuring regular meetings, both at United Nations Headquarters and at the regional and national levels, including the United Nations Children's Fund, the United Nations Development Programme, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch, as well as the Committee on the Rights of the Child and the special rapporteurs concerned;

31. *Recommends* that the in-sessional working group of the Commission, at its fourth session, should seek ways to develop and undertake practical activities, including training, research and advisory services, to achieve the goal of preventing and eradicating violence against children;

32. *Recommends* that the Commission consider making the elimination of violence against children one of the priorities to guide the work of the United Nations crime prevention and criminal justice programme in the biennium 1996-1997 and recommends that the work in that area should be undertaken in close collaboration, *inter alia*, with the United Nations Children's Fund, the Commission on Human Rights, the Committee on the Rights of the Child, the United Nations Educational, Scientific and Cultural Organization and the Office of the United Nations High Commissioner for Refugees;

33. *Also recommends* that the Commission request the Secretary-General to submit a report on the implementation of the present resolution to it at its sixth session.

8. Elimination of violence against women

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Welcoming the proclamation by the General Assembly, in its resolution 48/104 of 20 December 1993, of the Declaration on the Elimination of Violence against Women,

Recognizing that women are entitled to guarantees, safeguards and benefits of all human rights affirmed in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Declaration on the Elimination of Violence against Women and other international human rights standards,

Also recognizing that violence against women both violates human rights and fundamental freedoms and impairs or nullifies the enjoyment by women of these rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and freedoms,

Also recognizing that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in its resolution 34/180 of 18 December 1979, contributes to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women strengthens and complements this process,

Strongly condemning all forms of violence against women as set out in the Declaration on the Elimination of Violence against Women,

Bearing in mind that article 4 of the Declaration on the Elimination of Violence Against Women states that customary, traditional and religious considerations should not be invoked by States to avoid their obligations with respect to the elimination of violence against women,

Recalling that the World Health Assembly, in its resolution WHA 47/10 of 10 May 1994, entitled "Maternal and child health and family planning: Traditional practices harmful to the health of women and children", urged all Member States to establish national policies and programmes that would effectively, and with legal instruments, abolish female genital mutilation, child-bearing before biological and social maturity, and other harmful practices affecting the health of women and children,

Looking forward to the Fourth United Nations World Conference on Women: Action for Equality, Development and Peace, to be held at Beijing from 4 to 15 September 1995,

Concerned that violence against women remains an obstacle to the achievement of equality, development and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of Women,[29] and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

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[29] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

Noting with appreciation the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and its confirmation that women's rights are an inalienable, integral and indivisible part of human rights, as well as its affirmation that gender-based violence and all forms of sexual harassment and exploitation are incompatible with the dignity and worth of the human person, and must be eliminated,

Recalling the adoption by the Seventh and Eighth United Nations Congresses on the Prevention of Crime and the Treatment of Offenders of resolutions on domestic violence and their subsequent adoption by the General Assembly in its resolutions 40/36 of 29 November 1985 and 45/114 of 14 December 1990,

Recalling Commission on Human Rights resolution 1995/85 of 8 March 1995, concerning the elimination of violence against women, in which the Commission, *inter alia*, condemned all acts of gender-based violence against women,

Welcoming the appointment by the Commission on Human Rights, in its resolution 1994/45, of the Special Rapporteur on Violence against Women,

Recalling Economic and Social Council resolution 1993/26 of 27 July 1993, on violence against women in all its forms,

Recalling also Commission on Crime Prevention and Criminal Justice resolution 3/1, on violence against women and children, which was adopted at its third session, in 1994,

Noting with appreciation the Programme of Action of the United Nations International Conference on Population and Development, held at Cairo from 5 to 13 September 1994,

Believing it is important that crime prevention measures be instituted and that effective measures be imposed upon, and treatment be provided, where appropriate, to perpetrators of violence against women,

Alarmed by acts of sexual violence directed notably against women during periods of armed conflict, as stated in the declaration of the International Conference for the Protection of War Victims, held at Geneva from 30 August to 1 September 1993, and reiterating the concerns expressed in the declaration that such acts constitute grave breaches of international humanitarian law,

Welcoming the role of non-governmental organizations, women's groups and community agencies in addressing and working towards the elimination of violence against women, in particular in drawing attention to the nature, severity and magnitude of violence against women and in assisting women who are victims of violence,

Expressing deep concern about the high social, health and economic costs to the individual and society that are associated with violence against women,

Emphasizing that the protection of human rights is a significant consideration within the criminal justice system as a whole,

Concerned about the particular vulnerability of women accused of criminal activities to human rights violations following their arrest and during their detention,

Bearing in mind that, although violence against women occurs in all parts of society, some groups of women are particularly vulnerable to violence, *Strongly condemning* all violations of the human rights of women,

1. *Urges* Member States, in order to eliminate all forms of violence against women, to adopt, in the absence of existing laws, initiatives including:

(a) Laws to prohibit and respond to acts of violence against the person, particularly those in which women may be victims;

(b) Laws, enforcement practices and policies that take into account the diverse realities of women, in order to prevent victimization of women; to ensure their safety and fair treatment, if they are victimized; and to encourage the voluntary reporting by women of acts of violence against them to the appropriate authorities;

(c) Measures to prevent, prohibit, eliminate and impose effective sanctions against rape or sexual assault, sexual abuse and all practices harmful to women and girl children, including female genital mutilation;

(d) Legal and administrative measures to prohibit or restrain persons from harassing, intimidating, damaging the property of or threatening women or their families or using any method that harms or endangers their lives or integrity;

(e) Legislation to regulate the acquisition, storage in the home and use of firearms;

2. *Invites* Member States to examine ways consistent with their domestic law and national legal systems of ensuring that the prosecution of illegal acts concerning traffic in human beings and exploitation of the prostitution of others, committed abroad by one of their own nationals, is not hindered by gaps in international law or cooperation and that those acts are effectively sanctioned;

3. *Also urges* Member States to enforce their laws relating to violence against women, in particular to apply them with due diligence to prevent and investigate acts of violence against women, whether those acts are perpetrated by the State or by private persons;

4. *Further urges* Member States to take appropriate measures to eliminate violence against women in detention;

5. *Further urges* Member States to promote the access by women subjected to violence to assistance that meets their needs - *inter alia*, access to the mechanisms of justice, restitution, reparations or other just and effective remedies, to adequate and safe housing and shelters for women and children, to support services, to assistance in child care, to economic assistance, to counselling, and to health and social services, in order to promote their safety and physical and psychological healing;

6. *Further urges* Member States to consider developing consultation mechanisms to promote the involvement and the possibility of participation of women, in particular of women's equality-seeking organizations, in decision-making processes concerning crime prevention and criminal justice;

7. *Further urges* Member States to consider developing specific measures, including programmes and services, to permit the views of women who are victims of violence and, where permitted by domestic law, their equality-seeking organizations to be taken into account during pre-trial and criminal trial proceedings;

8. *Further urges* Member States to develop intervention programmes and treatment services, in accordance with human rights and fundamental freedoms, in order to modify the attitudes and behaviour of perpetrators while ensuring the safety of women subjected to or in danger of being subjected to violence;

9. *Further urges* Member States to promote multidisciplinary training and educational and information-sharing activities to sensitize law enforcement officials, judges, prosecutors, lawyers, correction officers and other justice personnel as well as those in other relevant professions, such as health care and education, to problems related to violence against women;

10. *Further urges* Member States to promote and support public education and information activities to ensure gender equality, heighten public awareness of violence against women and of its criminal nature and to assist in preventing all forms of violence against women;

11. *Further urges* Member States to study and exchange information on how the experiences of persons subjected or exposed to violence against women may be related to subsequent violent behaviour;

12. *Further urges* Member States to promote research, collect data and compile statistics on a gender disaggregated basis on the various forms of violence against women and to encourage research on the causes, nature and seriousness and consequences of violence against women, including the possible connection between acts of violence against women and pornography, and on the effectiveness of measures implemented to prevent and redress such violence;

13. *Requests* Member States to cooperate at the international level, by using bilateral, regional or multilateral mechanisms, including extradition and mutual assistance in criminal matters, that will support their efforts to enforce their legislation addressing violence against women;

14. *Urges* Member States, while respecting the freedom of the media, to invite the media, media associations, media self-regulatory bodies, schools and other relevant partners to consider developing appropriate measures and mechanisms such as public education about the media, public awareness campaigns, codes of ethics and self-regulatory measures on media violence to contribute to the eradication of violence against women and to enhance respect for their dignity by discouraging the perpetuation of pro-violence values and the stereotyping of women;

15. *Also urges* Member States to take special account of women's vulnerability to violence in situations of armed conflict, including murder, torture, rape and systematic rape, sexual slavery and forced pregnancy, by, *inter alia*:

(a) Observing international humanitarian law and the minimum standards for human rights set forth in international human rights instruments;

(b) Ensuring that women subjected to violence during, or when escaping from, armed conflict have safe and timely access to assistance by humanitarian organizations;

(c) Imposing stringent sanctions on the perpetrators of such violence;

16. *Requests* the Commission on Crime Prevention and Criminal Justice to ensure that *Strategies for Confronting Domestic Violence: a Resource Manual*, which is based on a draft prepared by the Government of Canada, in cooperation with the Crime Prevention and Criminal Justice Branch of the Secretariat and with the European Institute for Crime Prevention and Control, affiliated with the United Nations, and currently available in English only, is published in the other official languages of the United Nations, subject to the availability of regular budgetary or extrabudgetary funds;

17. *Urges* Member States to study and consider disseminating and encouraging the full utilization of the publication entitled *Strategies for Confronting Domestic Violence: a Resource Manual*, as it becomes available in each of the official languages of the United Nations;

18. *Recommends* that the in-sessional working group of the Commission on Crime Prevention and Criminal Justice, at its fourth session, should seek ways in which practical activities could be developed in the field of crime prevention and criminal justice, including training, research and advisory services, to achieve the goal of preventing and eradicating violence against women, and in doing so, to have regard to the relevant recommendations and proposals of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

19. *Urges* the Commission on Crime Prevention and Criminal Justice to consider the issue of violence against women as a priority theme and particularly as a priority in its programme's training and technical assistance efforts and to cooperate closely with the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Special Rapporteur on Violence against Women, the Commission on Human Rights, including the Subcommission on Prevention of Discrimination and Protection of Minorities, the World Health Organization, and with relevant experts and non-governmental organizations, as appropriate;

20. *Invites* the institutes in the United Nations crime prevention and criminal justice programme network to undertake practical activities to combat violence against women, including the provision of training and advisory services, and to develop proposals on other measures that could be taken in the field of crime prevention and criminal justice to combat violence against women.

9. Firearms regulation for purposes of crime prevention and public safety

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind that one of the purposes of the United Nations, as stated in Article I of the Charter of the United Nations, is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all,

Recalling General Assembly resolution 46/152 of 18 December 1991, on the creation of an effective United Nations crime prevention and criminal justice programme,

Also recalling Economic and Social Council resolution 1994/19 of 25 July 1994, on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Having considered ways and means of promoting international cooperation in the field of crime prevention and criminal justice and of establishing, *inter alia*, effective crime prevention strategies,

Welcoming with appreciation the conclusions and recommendations of the five regional preparatory meetings for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[30] in particular the resolution of the Asia and Pacific Regional Preparatory Meeting,[31] held at Bangkok from

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[30] A/CONF.169/RPM.1/Rev.1 and Corr.1, A/CONF.169/RPM.2, A/CONF.169/RPM.3 and Corr.1, A/CONF.169/RPM.4, and A/CONF.169/RPM.5.

[31] A/CONF.169/RPM.1/Rev.1 and Corr.1.

17 to 21 January 1994, and the resolution of the Western Asia Regional Preparatory Meeting,[32] held at Amman from 20 to 24 March 1994, in which Member States were called upon to promote the adequate control of firearms and other high-risk weapons by means of both regulations and law enforcement with a view to diminishing violent criminality,

Bearing in mind Commission on Narcotic Drugs resolution 9 (XXXVI) of 7 April 1993, on the relationship between the illicit traffic in arms and explosives and illicit drug trafficking, in which the Commission recommended that States should consider establishing or improving appropriate controls on transfers of explosives, munitions and armaments,

Acknowledging that the General Assembly, in its resolution 49/159 of 23 December 1994, took note with appreciation of the conclusions and recommendations of the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,[33]

Deeply concerned over the grave suffering in the international community caused by the high incidence of violent crimes, accidents and suicides involving the use of firearms,

Concerned that the high incidence of crimes, accidents and suicides involving the use of firearms is closely related to the abundance of firearms in society without appropriate regulation of their possession and storage or training in their use and, *inter alia*, to the fact that the persons who are most likely to use them for criminal activities have easy access to them,

Recognizing that, owing to the incidence of use of firearms by minors, the conditions under which minors acquire and possess firearms require high vigilance,

Affirming that, for purposes of crime prevention and public safety, the eradication of crimes, accidents and suicides involving the use of firearms is a goal that the international community should pursue,

Determined to expand the scope of international cooperation in the field of firearms regulation, for purposes of crime prevention and public safety,

Recognizing that criminal activities in which firearms are used have been increasing, in part because of an increase in illicit trafficking in firearms at both the national and transnational levels,

Also recognizing that, with the increasing dimensions and scale of international transport and the increasing sophistication of transnational illicit trafficking, no State is immune from the effects of inadequate legislative or administrative regulation of firearms in other States,

1. *Declares* that, for purposes of crime prevention and public safety, there is currently urgent need for effective strategies to ensure the proper regulation of firearms at both the national and transnational levels;

2. *Requests* the Commission on Crime Prevention and Criminal Justice urgently to consider the measures to regulate firearms commonly applicable in Member States, such as the prevention of transnational illicit trafficking in firearms, with a view to suppressing the use of firearms in criminal activities;

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[32] A/CONF.169/RPM.5.

[33] A/49/748, annex.

3. *Recommends* that the Commission on Crime Prevention and Criminal Justice request the Secretary-General to establish and maintain close cooperation with Member States and intergovernmental and other organizations, especially ICPO-Interpol, active in the field of firearms regulation, *inter alia*, by the regular exchange of data and other information on, among other things, the following topics:

(a) Criminal cases, accidents and suicides in which firearms are involved, including the number of such cases and the number of victims involved, and the status of firearms regulation by the law enforcement authorities;

(b) The situation with regard to transnational illicit trafficking in firearms;

(c) National legislation and regulations relevant to firearms regulation;

(d) Relevant initiatives for firearms regulation at the regional and interregional levels;

4. *Also recommends* that the Commission on Crime Prevention and Criminal Justice request the Secretary-General to initiate a study on, *inter alia*, the topics listed in paragraph 3 above, in order to provide the Commission on Crime Prevention and Criminal Justice at its fifth session with a basis for its consideration of measures to regulate firearms, and for this purpose examine the availability of resources which would be required in order to undertake the study;

5. *Reiterates* the need for allocating sufficient resources, both financial and human, to the Crime Prevention and Criminal Justice Branch of the Secretariat, in order to facilitate the activities of the United Nations in the field of firearms regulation;

6. *Calls upon* Member States and intergovernmental and other organizations active in the field of firearms regulation to extend their full support to the United Nations crime prevention and criminal justice programme and its activities in that field;

7. *Further calls upon* Member States to promote the adequate regulation of firearms by means of both regulations and law enforcement, with a view to protecting public health and safety and to diminishing violent criminality;

8. *Invites* Member States to take effective action against illicit trafficking in firearms, through mutual cooperation, the exchange of information and the coordination of law enforcement activities, considering that illicit trafficking in firearms is a widespread transnational criminal activity that frequently involves transnational criminal syndicates;

9. *Also invites* Member States to examine the link between the use of firearms and accidents and suicides committed with firearms, and the effect of regulation on reducing their incidence;

10. *Further invites* Member States to give due attention to promoting public awareness campaigns on firearms regulation, since the achievement of firearms regulation depends to a large extent on the confidence of the population, with the understanding and support of the general public;

11. *Urges* all United Nations organs, bodies and specialized agencies to take up more seriously the issue of firearms regulation, within the framework of their mandates;

12. *Encourages* interested intergovernmental and non-governmental organizations to contribute actively, in accordance with their areas of competence, to promoting firearms regulation;

13. *Recommends* that the Commission on Crime Prevention and Criminal Justice request the Secretary-General to report to it, at its fifth session, on the implementation of the present resolution and submit to it recommendations for further concerted action at the national and transnational levels, including the possibility of seeking views of Member States on the preparation of a declaration.

10. Expression of thanks to the people and Government of Egypt

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Having met in Cairo, from 29 April to 8 May 1995, at the invitation of the Government of Egypt,

I. Expression of thanks

Expresses its profound gratitude to the people and Government of Egypt, as well as to all its authorities, for their warm and generous hospitality and for the excellent facilities provided.

II. Establishment of a regional centre for training and research in crime prevention and criminal justice for the Mediterranean States

1. *Welcomes* the Government of Egypt's proposal to establish a regional centre for training and research on crime prevention and criminal justice for the Mediterranean States, to be based in Cairo;

2. *Welcomes* the offer of Egypt to provide the centre with facilities and administrative staff and expresses its thanks for that;

3. *Invites* the Commission on Crime Prevention and Criminal Justice at its forthcoming session to establish an open-ended intergovernmental working group within its framework with the aim of studying this proposal.

11. Credentials of representatives to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Having examined the report of the Credentials Committee,

Approves the report of the Credentials Committee.

II. ORIGINS OF AND PREPARATIONS FOR THE CONGRESS

2. The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was convened in accordance with paragraph (d) of the annex to General Assembly resolution 415 (V) of 1 December 1950, which provided for the convening every five years of an international congress in this field,[34] as well as in pursuance of General Assembly resolutions 46/152, annex, and 49/157.

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[34] The first eight congresses were held at Geneva in 1955, at London in 1960, at Stockholm in 1965, at Kyoto in 1970, at Geneva in 1975, at Caracas in 1980, at Milan in 1985, and at Havana in 1990. The reports of those congresses were issued as United Nations publications, Sales Nos. E.56.IV.4, E.61.IV.3, E.67.IV.1, E.71.IV.8, E.76.IV.2 and corrigendum, E.81.IV.4, E.86.IV.1 and E.91.IV.2 respectively.

3. On the recommendation of the Commission on Crime Prevention and Criminal Justice as the preparatory body of the Congress, the Economic and Social Council, in its resolution 1992/24 of 30 July 1992, decided that action-oriented research and demonstration workshops related to the topics of the Congress, should be held as part of the programme of the Ninth Congress. In its resolution 1993/32 of 27 July 1993, the Council requested the Secretary-General to undertake the necessary logistical steps to mobilize the participation of relevant parties in the preparations for all six workshops and to provide the resources necessary for the organization of five regional preparatory meetings for the Ninth Congress.

4. Regional preparatory meetings were held in 1994 at Bangkok from 17 to 21 January, in cooperation with the Economic and Social Commission for Asia and the Pacific (ESCAP), at Kampala from 14 to 18 February, at the invitation of the Government of Uganda and in cooperation with the African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), at Vienna from 28 February to 4 March at the United Nations Office at Vienna, at San José from 7 to 11 March at the invitation of the Government of Costa Rica and in cooperation with the Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD), and at Amman from 20 to 24 March under the patronage of His Royal Highness Crown Prince Hassan of Jordan, in cooperation with the Economic and Social Commission for Western Asia.[35] In addition, a number of preparatory activities related to the organization of the workshops were also undertaken.

5. In its resolution 1994/19 of 25 July 1994, the Council requested the Secretary-General to invite Member States to consultations on possible technical cooperation projects to be considered during the workshops, with a view to announcing their commitment to sponsoring such projects after the Ninth Congress and to invite relevant bodies to participate in those consultations. In accordance with that request the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna organized the consultations, which were held on 19 January 1995 at Vienna.

III. ATTENDANCE AND ORGANIZATION OF WORK

A. Date and venue of the Congress

6. The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was held at Cairo from 29 April to 8 May 1995, in conformity with the Economic and Social Council resolution 1994/19, by which the Council reaffirmed the organizational arrangements for the Congress as stipulated in its resolutions 1992/24 and 1993/32. In its resolution 49/157, the General Assembly approved the recommendations contained in Council resolution 1994/19 and accepted the invitation of Egypt to host the Congress.

B. Pre-Congress consultations

7. In conformity with the practice followed at United Nations special conferences and with Economic and Social Council decision 1995/211, informal pre-Congress consultations were held on 28 April 1995. Participation in the consultations was open to representatives of all States invited to the Congress. A number of recommendations on the organization of work of the Congress were agreed upon in the course of the consultations (see A/CONF.169/L.1).

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[35] For the reports of the regional preparatory meetings, see A/CONF.169/RPM.1/Rev.1, A/CONF.169/RPM.2, A/CONF.169/RPM.3, A/CONF.169/RPM.4 and A/CONF.169/RPM.5.

C. Attendance

8. The following States were represented at the Congress: Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Greece, Guinea, Guinea-Bissau, Holy See, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, Zambia and Zimbabwe.

9. Palestine was also represented by an observer.

10. The following United Nations offices and organs were represented by observers: United Nations Headquarters, United Nations Office at Vienna, United Nations Office at Geneva (Special Rapporteur on Torture, Commission on Human Rights), United Nations Children's Fund, United Nations Development Programme, Economic Commission for Africa, Economic and Social Commission for Western Asia, United Nations Centre for Human Settlements, Office of the United Nations High Commissioner for Refugees, United Nations International Drug Control Programme, Department for Development Support and Management Services, United Nations Office of the Special Coordinator in the Occupied Territories, United Nations Interregional Crime and Justice Research Institute. The following affiliated regional institutes and associate institutes were also represented by observers: Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, European Institute for Crime Prevention and Control, affiliated with the United Nations, African Institute for the Prevention of Crime and the Treatment of Offenders, Arab Security Studies and Training Centre, International Scientific and Professional Advisory Council, International Institute of Higher Studies in Criminal Sciences, and International Centre for Criminal Law Reform and Criminal Justice Policy.

11. The following specialized agencies were represented by observers: United Nations Educational, Scientific and Cultural Organization and Universal Postal Union.

12. The following intergovernmental organizations were represented by observers: Agency for Cultural and Technical Cooperation, Asian-African Legal Consultative Committee, Commonwealth of Independent States, Commonwealth Secretariat, Council of Arab Ministers of the Interior, Council of Europe, European Commission, International Committee of the Red Cross, International Criminal Police Organization, International Organization for Migration, League of Arab States, Organization for Economic Cooperation and Development, Organization of African Unity, Organization of American States and World Customs Organization.

13. The following non-governmental organizations were represented by observers: Alliance of Non-Governmental Organizations on Crime Prevention and Criminal Justice, American Correctional Association, Amnesty International, Arab Lawyers Union, Arab Organization for Human Rights, Asia Crime Prevention Foundation, Association for the Protection of the Families of Prisoners, Association of Chief Officers of

Probation, Cairo Institute for Human Rights Studies, Canadian Association of Sexual Assault Centres, CARITAS (Egypt), Central Narcotics Control Society, *Centro Nazionale di Prevenzione e Difesa Sociale*, Christian Children's Fund, Civil Liberties Organization, Crime Concern, Defence for Children International, *Ecole Nationale de la Magistrature*, Egyptian Association for the Protection of Women and Children, Egyptian Organization for Human Rights, Egyptian Social Studies Society, Egyptian Society for Promoting Family Awareness for Protection from Addiction, EUROFEDOP-INFEDOP, European Forum for Urban Safety, Federation of Associations for the Prisoners' Welfare, *Fondazionne Giovanni e Francesca Falcone*, Friends World Committee for Consultation, General Egyptian Society for Social Defence, *Grupo Plural Pro-Victimas A.C.*, Howard League for Penal Reform, International Association of Airport and Seaport Police, International Association of Judges, International Association of Juvenile and Family Court Magistrates, International Association of Penal Law, International Bar Association, International Catholic Child Bureau, International Centre for the Prevention of Crime (Montreal), International Commission of Jurists, International Council of Psychologists, International Council on Alcohol and Addictions, International Fellowship of Reconciliation, International Institute of Humanitarian Law, International League for Human Rights, International Penal and Penitentiary Foundation, International Prisoners Aid Association, International Society for Traumatic Stress Studies, International Society of Social Defence, Inter-Parliamentary Union, Italian Centre of Solidarity, Japan Federation of Bar Associations, John Howard Society of Canada, *Juventudes de la ONU*, Lutheran World Federation, Muslim World League, Narcotics Control Association, National Associations Active in Criminal Justice, National Crime Prevention Council (USA), National Criminal Justice Commission, Office of International Criminal Justice, Organization of Islamic Capitals and Cities, Palestinian Lawyers for Human Rights, PAX ROMANA (International Catholic Movement for Intellectual and Cultural Affairs), Penal Reform International, Prison Fellowship International, Salvation Army, Save the Children Society, Seeds of Peace, Social Reform Association, Society for the Reform of Criminal Law, Society of Human Rights Supporters, World Federation for Mental Health, World Federation of United Nations Associations and World Society of Victimology.

14. Over 190 individual experts participated in the Congress as observers.

D. Opening of the Congress

15. The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was officially opened, on behalf of the Secretary-General of the United Nations, by the Secretary-General of the Ninth Congress, Mr. Giorgio Giacomelli, Under-Secretary-General and Director-General of the United Nations Office at Vienna.

16. The Secretary-General of the Congress read a message addressed by the Secretary-General of the United Nations to the participants. The Secretary-General emphasized that this was the first United Nations Congress on the Prevention of Crime and the Treatment of Offenders held on the African continent and in the Arab world. Thanks and appreciation were due to the Government and people of Egypt for hosting the Congress and for its most generous hospitality, support, and assistance. This was also the first Congress held following a review of the crime prevention and criminal justice programme by an Intergovernmental Ministerial Summit held in 1991 at Versailles. The Economic and Social Council then had established the Commission on Crime Prevention and Criminal Justice as a new functional body to mobilize the international community through a revitalized United Nations crime prevention and criminal justice programme.

17. Over the 40 years since its inception, the United Nations crime prevention and criminal justice programme had developed and promoted standards, norms and guidelines as a crucial means of strengthening the rule of law. It had promoted international cooperation in the field of crime prevention and criminal justice, and providing assistance to countries with problems of national and transnational crime. The Congress provided a unique global framework within which to work towards common goals, meeting the needs of both developed and developing countries.

18. The Secretary-General noted that new and rapacious forms of criminality had been taking advantage of the very trends that had brought so many benefits: improvements in information and transportation technologies, relaxation of border controls, and internationalization of world markets. For example, contemporary transnational criminals were not only engaged in trafficking, including in human beings, arms and hazardous materials, but left a trail of corruption, crime, human misery and environmental damage. Every country had a duty to do whatever is possible to protect its children and future generations from the scourge of crime, which in some countries had reached the point of challenging legitimate Governments, jeopardizing their economic and social fabric.

19. The time had come to move beyond declarations and statements of principle to action. Rising crime was impairing the process of development and the general well-being of humanity. Furthermore, all over the world, there were flashpoints of conflict, whether ethnic, social or political in origin, often resulting in the erosion of the institutions of government and administration. Sometimes the rule of law had collapsed completely. It was vitally important that the international community render assistance in such cases. Technical cooperation became an instrument for protecting fundamental human rights and stabilizing democratic institutions. He emphasized that the United Nations would provide the best framework for a truly multilateral effort as it was uniquely placed to undertake needs assessment, as well as to coordinate joint action for those countries most in need.

20. Crime in its various dimensions and forms was a problem requiring coordinated, international action with close cooperation among States. At the Congress, participants would be using strategies that had been successful in different national and regional contexts, for practical measures against crime.

21. In this respect, the United Nations provided a unique forum for Governments to discuss national experiences and benefit from the participation of the various intergovernmental and non-governmental organizations and individual experts present. Given the globalization of society, and of crime itself, the measures the Congress would embark upon for promoting international cooperation would be necessary for the success of all common endeavours.

22. Following his election as President of the Congress, His Excellency Farouk Seif El-Nasr, Minister of Justice of Egypt, noted that the decision to select Egypt as the site of the Ninth United Nations Congress, and of the International Conference on Population and Development, was greatly appreciated by the Arab and African peoples. Those decisions also reaffirmed the importance of a continuing dialogue between North and South.

23. The Congress would take an objective and scientific attitude, without prejudice, he said. Nations must reject fanaticism and extremism, and let prudence and moderation be their guide. He would conduct the Congress with the "conscience and impartiality of a judge" so that the "voice of truth" could ring out. The Congress would seek compromises and avoid divisions by national interests. Its aim was to add new policy guidance for the international community and to reaffirm the values of criminal justice.

24. The Congress would face up to the dangers of terrorism that affected both rich and poor nations. The international community must combine its efforts to "pull out the roots and eliminate this evil". The shadows of fear would then disappear. Terrorist crimes perpetrated on a local level had now assumed universal proportions.

25. His Excellency, Mr. Mohamed Hosni Mubarak, President of Egypt, welcomed the participants to Cairo, "the citadel of justice and the rule of law". Changes on the international and regional scene had made it possible for all countries to work together for the establishment of the rule of law. Respect for the spiritual values, and strength of the family as the basic unit for the transmission of values, was also critical for the rule of law and the development of all individuals in society.

26. A democratic State, in which an individual enjoyed fundamental rights while respecting those of others, was the ideal matrix for the development of the rule of law. Material elements alone were no longer the yardstick by which the success and stability of a society were judged; rather, the stability and development of each individual in society were important for its viability. Truth and justice should be the pillars on which criminal justice is built.

27. Governments would remain the primary authority in establishing priorities for crime prevention and implementing preventing strategies and law enforcement measures to ensure the safety of their citizens. International cooperation in the area of crime prevention and criminal justice should conform to the laws and cultural specificities of the country concerned.

28. Developing countries and those with economies in transition should provide for appropriate legislative development to take due account of the changing circumstances. There, again, the State was the primary authority for establishing the requisite legal infrastructure.

29. Tackling organized economic and other crime, and modernizing judicial and enforcement systems, required international cooperation. Resolute steps should be taken at all levels to oppose such crimes while fully respecting human rights.

30. Terrorism in the present era had become one of the most dangerous crimes, threatening the individual and society, undermining the establishment of peace and security, dissipating progress and prosperity, and transforming society into a jungle with no regulations or laws. Egypt had witnessed recently aspects of this vicious crime: terrorism, and had been keen on intercepting it within the constitutional legitimacy and the full respect for the principles of human rights. Egypt was also keen on bringing about unified action by the international community for confronting this regrettable phenomenon.

31. The President concluded by wishing the participants God's help in their endeavours for man's welfare and happiness, and in the promotion of cooperation among countries and peoples through supporting right justice, the sovereignty of law and respect for legitimacy. Security through adequate crime control and effective justice had become a priority on both the national and international agendas. Its neglect could have serious consequences, thwarting the cause of sustainable democracy and democratic institutions.

E. Election of the President and of other officers

32. At its 1st plenary meeting, on 29 April 1995, the Congress elected, by acclamation, His Excellency Mr. Farouk Seif El-Nasr, Minister of Justice of the Arab Republic of Egypt and head of the delegation of the host country, President of the Congress.

33. At the same meeting, the Congress also elected by acclamation Mr. Atilio Alvarez (Argentina) as Rapporteur-General, Mr. Luigi Augusto Lauriola (Italy) as Chairman of Committee I, Mr. Masaharu Hino (Japan) as Chairman of Committee II, and Mr. Alexander M. Ischenko (Ukraine) as First Vice-President, and the following States as Vice-Presidents: Algeria, Australia, Austria, Bolivia, Brazil, Canada, Cameroon, Chile, China, Cuba, France, Guinea, Kuwait, Malaysia, Nepal, Romania, Republic of Korea, Russian Federation, South Africa, Swaziland, Tunisia, Uganda, United States of America and Venezuela. Those officers, together with the President, constituted the General Committee.

34. At its 1st meeting, on 29 April, Committee I elected by acclamation Mr. Emmanuel Jean Leung Shing (Mauritius) as Rapporteur.

35. At its 3rd meeting, on 29 April, Committee I elected by acclamation Mr. David Ntshangase (South Africa) as Vice-Chairman.

36. At its 2nd meeting, on 30 April, Committee II elected by acclamation Mr. Bo Svensson (Sweden) as Vice-Chairman and Ms. Amena Lazoughli (Tunisia) as Rapporteur.

F. Adoption of the rules of procedure

37. At its 1st plenary meeting, on 29 April 1995, the Congress adopted its rules of procedure by consensus (A/CONF.169/2).

G. Adoption of the agenda

38. At its 1st plenary meeting, on 29 April 1995, the Congress adopted as its agenda the provisional agenda (A/CONF.169/1) as approved by the Economic and Social Council in its resolutions 1993/32 and 1994/19. The agenda was as follows:

1. Opening of the Congress.

2. Organizational matters:

    (a) Election of the President and of other officers;

    (b) Adoption of the rules of procedure;

    (c) Adoption of the agenda;

    (d) Organization of work;

    (e) Credentials of representatives to the Congress;

        (i) Appointment of members of the Credentials Committee;
        (ii) Report of the Credentials Committee.

3. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme.

4. Action against national and transnational economic and organized crime, and the role of criminal law in the protection of the environment: national experiences and international cooperation.

5. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections, and the role of lawyers.

6. Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives.

7. Adoption of the report of the Congress.

H. Organization of work

39. At its 1st plenary meeting, on 29 April, in accordance with the recommendations of the pre-Congress consultations (see A/CONF.169/L.1), the Congress approved its organization of work (A/CONF.169/3, annex), on the understanding that any adjustments that might be required would be made during the course of the Congress. Accordingly, agenda items 1, 2, 3, 4 and 7 as well as the topic on corruption would be considered

directly in plenary meetings, agenda item 5 would be allocated to Committee I and agenda item 6 to Committee II. In addition Committee I would deal with workshops (f) and (e) and Committee II with workshops (a), (b), (c) and (d).

40. The Congress also approved a number of recommendations with regard to its organization of work and the report of the Congress.

I. Credentials of representatives to the Congress: appointment of members of the Credentials Committee

41. At the same meeting, in accordance with rule 4 of the rules of procedure (A/CONF.169/2) and on the proposal of its President, the Congress decided that the following States should be appointed members of the Credentials Committee: China, Honduras, Lesotho, Portugal, Russian Federation, Suriname, Togo, United States of America and Viet Nam.

J. Implications of Congress resolutions for the programme budget of the United Nations

42. At the 16th plenary meeting, on 7 May 1995, the Executive Secretary of the Congress stated that any provisions of the draft resolutions before the Congress that had implications for the programme budget of the United Nations would be brought to the attention of the General Assembly, through the Commission on Crime Prevention and Criminal Justice and the Economic and Social Council, at the time of the consideration of the report of the Congress.

IV. CONSIDERATION OF AGENDA ITEMS IN PLENARY MEETINGS AND BY THE SESSIONAL BODIES AND ACTION TAKEN THEREON BY THE CONGRESS

A. Consideration of agenda item 3 in plenary meetings

International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme

Introduction

43. At its 1st plenary meeting, on 29 April, the Congress allocated to the plenary, in accordance with Economic and Social Council resolution 1994/19 of 25 July 1994, agenda item 3, entitled "International cooperation and practical technical assistance for strengthening the role of law: promoting the United Nations crime prevention and criminal justice programme" (topic I).

44. For its consideration of the item, the Congress had before it the following documents:

(a) Working paper prepared by the Secretariat on international cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme (A/CONF.169/4);

(b) Background paper for the workshop on extradition and international cooperation: exchange of national experiences and implementation of extradition principles in national legislation (A/CONF.169/8);

(c) Interim report prepared by the Secretariat on the results of the supplement to the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, on Transnational Crime (A/CONF.169/15/Add.1).

Proceedings

45. At the 2nd to 6th meetings, from 29 April to 2 May 1995, the plenary held general discussions on the item. At the 2nd meeting, the Secretary-General of the Congress made an introductory statement. A statement was also made by the Speaker of the Egyptian People's Assembly.

46. Also at the 2nd meeting on 29 April 1995, statements were made by the representatives of Belgium, China, France (on behalf of the European Union), Germany, Italy, Romania, Russian Federation, Saudi Arabia, South Africa, The former Yugoslav Republic of Macedonia and United States of America.

47. At the 3rd meeting on 30 April 1995, statements were made by the representatives of Bahrain, Brazil, Canada, Czech Republic, Indonesia, Kuwait, Malta, Oman, Republic of Korea, Slovenia, Sweden and United Kingdom of Great Britain and Northern Ireland. The observer for the Commonwealth of Independent States, an intergovernmental organization, also made a statement. The representative of Iraq made a statement in right of reply.

48. At the 4th meeting on 30 April 1995, statements were made by the representatives of Algeria, Chile, Iran (Islamic Republic of), Israel, Libyan Arab Jamahiriya, Philippines, Spain and Thailand. The observers for the International Centre for Criminal Law Reform and Criminal Justice Policy and for the Asian-African Legal Consultative Committee, an intergovernmental organization, made statements. The Director of the United Nations Interregional Crime and Justice Research Institute made a statement.

49. At the 5th meeting on 1 May 1995, statements were made by the representatives of Argentina, Bulgaria, Holy See, Japan, Netherlands, Swaziland, Syrian Arab Republic, Turkey, Viet Nam and Zambia. The observers for the Arab Security Studies and Training Centre, an intergovernmental organization, and for the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders also made statements.

50. At the 6th meeting on 1 May 1995, statements were made by the representatives of Angola, Azerbaijan, Jordan, Nepal, Peru and Switzerland. The observers for Palestine and for the Asia Crime Prevention Foundation, a non-governmental organization, also made statements.

51. At the 7th meeting on 2 May 1995, statements were made by the representatives of Austria, Cuba, Guinea-Bissau, Mexico, Morocco, Pakistan, Poland, Rwanda, Sri Lanka and Ukraine. The observers for the International Committee of the Red Cross, an intergovernmental organization, for the UNESCO Institute for Education, the African Institute for the Prevention of Crime and the Treatment of Offenders, and the Defense for Children International Movement, a non-governmental organization, also made statements. The representative of Finland made a statement introducing a draft resolution entitled "International cooperation and practical assistance for strengthening the rule of law: development of United Nations model agreements" (A/CONF.169/L.6).

General discussion

52. In introducing the item, the Secretary-General of the Congress stated that, following the recommendations of the Ministerial Meeting on the Creation of an Effective United Nations crime prevention and criminal justice programme held in Paris in November 1991, a new United Nations crime prevention and criminal justice programme had been created. The programme was oriented towards technical and advisory services, particularly in respect of the planning, implementation and evaluation of crime prevention and

criminal justice programmes. The new Commission on Crime Prevention and Criminal Justice, comprised of 40 States, made technical assistance a standing item on its agenda and gave the Secretariat the mandate to carry out more operational activities. Accordingly, the provision of technical assistance in support of Member States became one of the main functions of the Secretariat. Efforts were made to devise innovative approaches, including needs assessment missions, deliver advisory services, formulate and implement projects, develop training curricula and organize training courses and seminars.

53. The Secretary-General noted that crime had become one of the major problems in the world, jeopardizing development and the security of nations. International agreements, while respecting the legitimate concerns of States about national sovereignty and the supremacy of national legislation, had to recognize that criminals operated on the international level and viewed borders not as obstacles but as business opportunities. The United Nations could play a greater role globally in carrying out comparative research and disseminating its results, and in disseminating other data and information, also through the more extensive use of databases and electronic information networks. The crime prevention programme was at a crossroads: in order to meet the expectations raised by its new orientation, it was crucial that it be provided with the necessary resources for the implementation of its mandates. The political will of States to tackle both the national and transnational aspects of crime would be an important determinant of its success. With their active support, the programme could improve its delivery of technical assistance.

54. The plenary meeting was addressed by Dr. Fathi Sorour, the Speaker of the Egyptian People's Assembly, who emphasized the need for more effective international cooperation. The role of the United Nations had expanded beyond the maintenance of international peace and security to deal with pressing issues of sustainable development, the protection of human rights, and internal conflicts. The United Nations should continue promoting the culture of peace and security. New forms of crime affected the implementation of development plans and the quality of life. Crimes such as fraud, embezzlement, the squandering of public money, drug trafficking and terrorism were influencing development and world peace. The modern nature of criminality required countries to harmonize their national strategies. He stated that the United Nations should address the roots of such crimes rather than limiting itself to humanitarian aid. To avoid the recurrence of tragedies, crime prevention should become a priority. Egypt, for instance, had had to tackle the violence of terrorism within a legitimate framework. Crimes against humanity were a challenge to international criminal law, since such crimes were not confined to any one country. He concluded by stressing the need for involving the parliaments of the world in the fight against crime, in view of their ability to mobilize public opinion.

55. Much of the discussion dealt with the challenge of growing criminality, both national and transnational. It was noted that, in most countries, crime had increased significantly, both quantitatively and qualitatively. In some countries, however, there was a relatively stable situation and even a decline in crime, as a result of clear and strong crime prevention policies. Delegations were unanimous in emphasizing that effective, efficient and fair criminal justice systems, based upon the rule of law, were essential to the establishment and maintenance of conditions of peace and social stability. The link between crime and development was also stressed, and the international community was urged to provide resources in order to enable developing countries to strengthen their criminal justice systems and to provide the legal framework necessary for development. Technical assistance and cooperation should not be considered merely a humanitarian gesture but rather as an investment in development. The preventive aspects of crime control were emphasized, and it was recommended that crime prevention be part of development plans and strategies. At the same time, the success of technical assistance rested mainly on the political will of the receiving country to translate legal reforms into practice. International cooperation was necessary for the development of long-term national strategies to promote development, respect for the rule of law and, ultimately, better governance and increased national stability. Although many countries reported having rendered or received technical assistance at the bilateral level, the limitations of such assistance were stressed. That was due, *inter alia*, to differences in legal systems, possible political implications of bilateral cooperation, and the multiplication of uncoordinated

activities, entailing excessive expenses. Increased cooperation through the United Nations crime prevention and criminal justice programme was considered a viable alternative.

56. Speakers underlined that, as part of its contribution to sustainable development, the international community should support the process of democratization, strengthening the rule of law and increasing transparency. They stressed the need to enhance policy planning through bilateral and multilateral agreements by conducting more intensive cooperation and research on crime.

57. In respect of countries afflicted by civil war, ethnic conflict and massive violations of fundamental rights, long-term development cooperation should concentrate on rebuilding and strengthening basic institutions, including the criminal justice system. A well-functioning criminal justice system, with its three main elements — court, law enforcement and corrections — was cited as a crucial mechanism of conflict resolution and the maintenance of social peace.

58. It was noted that, although all countries were vulnerable to economic and organized crime, the newly emerging democracies were most susceptible to it, since they lacked the stable financial systems and effective criminal justice administrations to defend themselves against national and international crime. Multilateral and bilateral cooperation and technical assistance were critical for those countries. They could involve mutual legal assistance, agreements to combat money-laundering and drug-trafficking and police cooperation arrangements. The appropriate multilateral conventions should also be accepted and rigorously enforced. International assistance was especially significant in reforming the legal and judicial systems of those countries. Model legislation and agreements should be developed by the United Nations to facilitate such work.

59. Delegates pointed out that, with advances in technology and telecommunications and modern means of transportation, transnational crime, in its new forms and dimensions, had become a major problem which could not be adequately dealt with by national action alone. Many speakers referred to the increasingly sophisticated forms of criminality, involving large amounts of money, the growing number of violent crimes and the serious consequences of environmental offences, which deserved special attention from the international community. Great concern was expressed about arms-smuggling, drug-trafficking, the illicit flight of capital, money-laundering, the smuggling of aliens, computer crime and the infiltration of legitimate economies by organized criminal groups. The current state of the environment was very precarious and called for efficient countermeasures throughout the world. The growth of terrorism and its links to organized crime were strongly emphasized. The negative effects of terrorism were being felt throughout the world. Terrorists and big narco-trafficking cartels were not after State power; they wanted to become "a State within a State". There was increasing awareness of the need to combat terrorism. Governments, regardless of their political stance, should cooperate to curb the scourge. Policy measures had, accordingly, to be adapted, even if that meant breaking with existing legal traditions. Therefore, some delegations pointed out that the proposal made at the World Ministerial Conference on Organized Transnational Crime, held in 1994, to draw up a United Nations convention aimed at combating organized crime should seriously be considered.[36]

60. It was noted that racism was on the increase and had taken new forms, a widespread form of which was the hatred directed at migrant workers. Xenophobia, like other crimes, threatened democratic structures and fundamental values. The proliferation of firearms had shifted from mainly members of criminal gangs and posed a lethal hazard to ordinary citizens. Global action was required to control such weapons.

61. Economic crime, urban crime, trafficking in and violence against women and children, and juvenile delinquency were identified among the priorities requiring international attention. Certain countries expressed concern about organized motor vehicle theft, the circulation of counterfeit currency and the smuggling of ivory

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[36] See E/CONF.88/4, sect. IV.

and endangered species. The need for innovative and practical cooperation, in order to combat criminal networks that did not recognize international borders and that exploited the legislative and administrative differences between countries to further their criminal activities, was emphasized. Some delegates highlighted the advisory role of the United Nations crime prevention and criminal justice programme in promoting consistency in national laws and eliminating existing gaps. Assistance in harmonizing national legislation and sharing technological capabilities to avoid "safe havens" for criminals and curtail the operations of organized crime networks was thus called for. Speaker after speaker concurred that the consolidation of the rule of law was a responsibility that the international community should discharge, particularly in the face of contemporary problems and the growing interdependence of States. International cooperation against crime, largely through the United Nations, was essential and should be pursued vigorously. The modalities of such cooperation had to be reviewed in the light of the latest developments and needs of the international community. In the era of globalization, cultural and ideological relations should not be seen as a constraint on cooperation but should rather promote joint action among States. It was stated that in the fight against international crime, it was not enough for individual States to ratify conventions but rather, and more important, that those conventions be put into practice.

62. Several speakers urged intensified subregional and regional cooperation within the framework of regional arrangements, infrastructure and mechanisms, with due regard to common social and religious traditions and values. The importance of such collaboration was underlined; the European Union was an example. Police cooperation between Member States of the European Union covered a whole range of areas, from anti-terrorism to combating drug-related crimes. The European Union shared information with developing countries and assisted Central and Eastern European countries with the new problems they faced. The establishment of permanent global and regional forums for strategic planning aimed at crime prevention was proposed. Regional teams could also be deployed to analyse potential threats, identify their sources and liaise with other regional planning groups.

63. Several intergovernmental and non-governmental organizations reported on their activities, particularly in developing manuals and training curricula and in organizing courses in the various areas of crime prevention and criminal justice. Their continued cooperation with the United Nations was invited. The network, comprising the United Nations Interregional Crime and Justice Research Institute, regional institutes and centres, affiliated or associated with the United Nations, facilitated international cooperation and technical assistance. Some of the representatives of the institutes stated that the serious financial situation facing many of them could jeopardize the execution of their programmes. As for bilateral cooperation, various Member States reported having entered into agreements with neighbouring countries to improve cooperation in judicial matters.

64. The existing United Nations instruments were held in high regard. They were considered useful tools for effective international cooperation, and, for that reason, their application and use by Member States should be encouraged and promoted. Pursuant to the restructuring of the programme, emphasis was placed on their application and use, with enhanced clearing-house functions that would enable the international community to keep abreast of crime trends to guide efforts aimed at preventing and controlling crime and formulating appropriate policies and strategies. Delegations stressed the need for coordination of bilateral assistance programmes with those carried out at the multilateral level. The exchange of information on programmes and activities, being carried out or planned, would facilitate the most efficient use of limited resources, avoiding duplication and unnecessary overlapping. In an effort to support the activities of the United Nations Criminal Justice Information Network (UNCJIN), one member State offered to host an interregional training course on the computerization of crime and justice networks.

65. Many delegations stressed the indispensability of adequate resources for technical cooperation. A larger share of funds for development cooperation should be invested in crime prevention and criminal justice. However, at a time of economic recession, the provision of additional funds was difficult. Developed countries

were urged to display greater commitment to making contributions which would enhance the technical assistance capacity of the United Nations crime prevention and criminal justice programme. Delegations expressed their serious concern about the disparity between technical assistance needs and the resources available for the programme. They referred to the multiple resolutions in which the General Assembly and Economic and Social Council requested the Secretary-General to strengthen the Crime Prevention and Criminal Justice Branch, providing it with the resources required for the full implementation of its mandates. Many speakers drew the attention of the Congress to the Crime Prevention and Criminal Justice Fund, which could receive both earmarked and general financial donations and donations in kind, to carry out projects, establish posts, and recruit staff and/or consultants to undertake certain programme activities. It was noted that only a small number of Member States had contributed to the Fund. It was stressed that more substantial contributions of the programme, including the institutes, to the reinforcement of good governance and strengthening the rule of law would not be feasible without adequate resources.

66. The activities undertaken and the impediments to more intensive technical assistance were highlighted. There was agreement that broader assistance should be given in the form of expert advice on the development and reform of crime prevention and criminal justice infrastructures. It was proposed that the United Nations crime prevention and criminal justice programme should organize further needs assessment missions to various countries to discuss new approaches with the relevant authorities and suggest ways in which they could be implemented. Field projects were considered to be one of the main forms of technical assistance. They might originate either in a response to specific governmental requests or in proposals formulated by the programme. They could profitably be pilot projects of an innovative nature, the results of which could be given wider application. In view of their potential model value, the close monitoring of such projects was particularly important. Numerous Member States indicated their needs for the training of criminal justice personnel, including law enforcement officials and correctional staff.

67. The usefulness of the United Nations model treaties was emphasized, particularly those on the transfer of foreign prisoners, extradition and mutual assistance in criminal matters. The United Nations could offer appropriate support in the implementation of such model treaties through the organization of training programmes, provision of training materials and advisory services. It could also identify issues that needed further regulation by means of such agreements, urge wider accession to and ratification of existing agreements, as well as accession by successor States, and help to determine the impediments to the fuller implementation of the existing agreements.

68. Many speakers underlined the importance of the Ninth Congress, the first to be held after the restructuring of the programme, in 1991. Its new format was welcomed, particularly the workshops which made the conference a cost-effective occasion for the exchange of experiences, knowledge and technology. Such exchanges would lead inevitably to follow-up activities and identify areas where work could be done bilaterally, regionally or multilaterally. The practical orientation of the Congress, designed to initiate exchanges and encourage future cooperation between States, was a guarantee that it would have a multiplier effect and spread the lessons of the workshops and other initiatives beyond their immediate audience.

B. Consideration of agenda item 4 in plenary meetings

Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation

Introduction

69. At its 1st plenary meeting, on 29 April, the Congress allocated to the plenary agenda item 4 entitled "Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation". The Congress considered agenda item 4 at its 8th to 11th meetings, from 2 to 4 May. For its consideration of the item, the Congress had before it the following documents:

(a) Working paper prepared by the Secretariat on action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation (A/CONF.169/5);

(b) Background paper prepared by the Secretariat on international action against corruption (A/CONF.169/14);

(c) Results of the supplement to the Fourth United Nations Survey on Crime Trends and Operations of Criminal Justice Systems, on transnational crime: interim report prepared by the Secretariat (A/CONF.169/15/Add.1);

(d) Report of the World Ministerial Conference on Organized Transnational Crime (A/49/748, annex);

(e) Background paper for the workshop on environmental protection at the national and international levels: potential and limits of criminal justice (A/CONF.169/12).

Proceedings

70. At the 8th to the 11th meetings, from 2 to 4 May 1995, the Congress held a general debate on this item. At the 8th meeting, the Executive Secretary of the Congress made an introductory statement. Statements were also made by the representatives of France (on behalf of the European Union), Colombia, the Republic of Korea, France, Canada, the Russian Federation, the Former Yugoslav Republic of Macedonia, Germany, Belarus, Malawi, the United Kingdom of Great Britain and Northern Ireland and Spain. The observer for the European Union, an intergovernmental organization, made a statement.

71. At the 9th meeting on 3 May 1995, statements were made by the representatives of Egypt, Burundi, Tunisia, Paraguay, China, Thailand, Myanmar, Ukraine, the Sudan, Romania and Panama. A statement was also made by an individual expert from the Islamic Republic of Iran.

72. At the 10th meeting on 3 May 1995, statements were made by the representatives of South Africa, Hungary, Algeria, Slovenia, the Philippines, Uzbekistan, Yemen and Switzerland. Statements were also made by an individual expert from Italy on behalf of the Giovanni Falcone Foundation, as well as observers from the Arab Security Studies and Training Centre and the European Federation of Employees in Public Services, intergovernmental organizations, the Asia Crime Prevention Foundation, the International Society for Traumatic Stress Studies and the International Fellowship of Reconciliation, non-governmental organizations.

At the same meeting, the representative of Argentina made a statement in which he introduced draft resolution A/CONF/169/L.2/Rev.1.

73. At the 11th meeting on 4 May 1995, statements were made by the representatives of Norway, Barbados, Zambia, Slovakia, Uganda, Iraq, Israel, Venezuela, Ecuador, Central African Republic, Nepal, Portugal and Armenia, as well as by an individual expert. The representative of Egypt made a statement in which he introduced draft resolution A/CONF.169/L.12.

General discussion

74. The Executive Secretary of the Congress introduced agenda item 4 and underlined that the priority attached to that theme by the Economic and Social Council and the Commission on Crime Prevention and Criminal Justice demonstrated the importance accorded by the international community to increased and strengthened international cooperation to prevent and control these forms of crime. Pursuant to Economic and Social Council resolutions 1993/29 and 1994/12, adopted on the recommendation of the Commission at its second and third sessions respectively, the World Ministerial Conference on Organized Transnational Crime was held in November 1994. The Conference adopted the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (A/49/748, Annex, sect. I.A) which was approved by the General Assembly in its resolution 49/159 of 23 December 1994. The recommendations were before the Congress for further follow-up action by the Commission at its fourth session.

75. The Executive Secretary then highlighted the main issues to be addressed in economic crime as well as in the context of the role of criminal law in the protection of the environment. Recent developments had vividly demonstrated that in today's interdependent world the international community had to take joint action in order to meet the challenge of those growing forms of transnational criminality. Technical cooperation was essential not only for the transfer of knowledge and expertise, but also to enable law enforcement and regulatory agencies, as well as the criminal justice system, to detect, prosecute and adjudicate those forms of crime. The United Nations, in cooperation with relevant international organizations, funding agencies and non-governmental organizations, and with the help both of Governments and of the private sector, could assist States to strengthen their capacities to cooperate more effectively at the international level in the fight against transnational crime.

76. Central issues of the discussion were the expansion of organized crime and the dangers posed by its transnational dimensions. All speakers expressed their alarm over the threat that organized and economic crime posed to society, democracy, security, stability and development. No country could consider itself either immune from the phenomenon or entirely self-sufficient to prevent and control its multiple manifestations and aspects. Organized crime was engaged in a variety of activities, increasingly diversifying its operations and becoming more and more sophisticated. In the past organized and economic crime were viewed as largely a law and order problem, mainly at the local or national level. The traditional responses, which had been largely domestic, had yielded poor results. As criminal networks operated globally, the response by Governments also had to be a global one.

77. It was reported that organized crime was diversifying its operations and engaging in a broad range of activities, which included, in addition to illicit drug trafficking, smuggling of illegal migrants, arms trafficking, automobile theft and trafficking, and smuggling of strategic material and resources. In addition, there was an increase in the economic crimes committed by organized criminal groups that included credit card fraud and counterfeiting, as well as increased involvement in the banking and financial sectors. It was also reported that, according to rough estimates, the global profits realized by organized crime amounted to hundreds of billions of United States dollars, a figure that was much higher than the individual budgets of many developed countries. As a result of those illicit proceeds, organized crime threatened the political and economic structures of many States, which were in danger of becoming dependent on organized crime. International trade and

financial transactions were adversely affected by economic crime as well as by money laundering and the re-investment of the proceeds of crime in legal business.

78. Many delegations highlighted the difficulties encountered by developing countries and countries in transition. Owing to political and economic change, but also because of the tendency of organized crime to expand its operations in those countries for the opportunities they presented, crimes committed by a growing number of organized criminal groups had risen up to 15 times. The threat to institutions in those countries, and also to their efforts towards liberalization of their economies in accordance with free-market principles and towards development and growth, were grave. Organized crime benefited from the fact that institutions were in the process of establishment and, therefore, lacked the strength and experience to detect, prevent and control that form of criminal activity. The danger in which the very essence and democratic future of developing countries and countries in transition were placed by organized and economic crime was recognized and stressed even by those countries in which these forms of crime were not deeply rooted.

79. In order to recognize and efficiently prevent and control organized and economic crime, it was considered important for the international community to increase its overall knowledge of the phenomenon. National capacities to deal with organized and economic crime needed to be enhanced to facilitate the full assessment of the characteristics and effects of those forms of crime on institutions, national economies and international financial and economic activity. Only informed decision- and policy-making in this area could lead to the appropriate legislative and regulatory measures. Such measures would be necessary in view of current circumstances and exigencies and of the contemporary characteristics of organized and economic crime. In the case of economic crime, it was also pointed out that knowledge and expertise were essential in order to strike the crucial balance between, on the one hand, effective prevention and control of economic criminal activity and, on the other, legislative and regulatory mechanisms that would not suffocate modern markets, free competition and the drive towards development, growth and liberalized trade. Closely related to this issue was the capacity of States to collect, analyse and disseminate reliable information and intelligence on organized and economic crime. National efforts to that end should be intensified and supported through the provision of technical assistance and expertise.

80. The Commission on Crime Prevention and Criminal Justice was playing a central role in strengthening international cooperation against serious transnational crime. Appropriate measures should be taken to ensure that its work continued to be carried out even more efficiently, despite the financial constraints that the United Nations faced. The Naples Political Declaration and Global Action Plan against Organized Transnational Crime were considered a milestone on the way towards achieving effective international cooperation, embodying the political commitment and determination of States to join forces in fighting organized crime in all its forms. It was now time for the international community to concentrate on how to implement its provisions and on the steps that needed to be taken to further its achievements. The role of the Commission at its fourth session in this direction was highlighted.

81. Many speakers emphasized the need for the international community to arrive at a common concept of organized crime as a basis for concerted action at the national and international levels and more effective international cooperation. In this connection, it was deemed necessary for the Commission to begin the process of arriving at a definition of organized crime, as this would enhance the ability of the international community to take a structured approach and would remove obstacles in all types of international cooperation. Some delegations offered their suggestions as to what elements such a definition would include.

82. The need to move towards more harmonization of legislative and other measures against organized and economic crime was also considered to be of particular importance for more meaningful and less cumbersome procedures of international cooperation. Among measures highlighted during the discussion, efforts to enlist the support of the public were prominent. Organized and economic crime had a particularly noxious effect on the social fabric, and such support was central to national and international efforts against these forms of crime.

Programmes geared towards education and information, also through the active involvement and help of the mass media and the private sector, were necessary in obtaining and maintaining such support.

83. In order to render international cooperation more effective, the international community should strengthen and improve existing instruments and methods. Bilateral and multilateral cooperation at all levels needed to be strengthened and improved, adapting to the structural characteristics and the new activities of organized and economic crime. The United Nations Model Treaties on Extradition, Mutual Assistance in Criminal Matters and Transfer of Proceedings were considered very useful instruments and increased reliance on them was suggested. The new faces of organized and economic crime, however, required new forms of international cooperation. In this connection, some delegations expressed the hope that the work which the Commission has been mandated to perform in connection with seeking the views of Governments on the impact of a convention or conventions against organized transnational crime and on the issues to be covered therein would be crowned with success.

84. Operational activities were considered essential to breathe life into the Naples Political Declaration and Global Action Plan against Organized Transnational Crime. Projects to be formulated and implemented by the crime prevention and criminal justice programme should focus on the provision of assistance to requesting Member States in the fields of legislation, special investigation techniques and training to upgrade the skills of law enforcement and criminal justice personnel. Advisory services in the elaboration or amendment of legislation were required to assist States in adopting laws that would introduce measures against organized crime and improve the control of the proceeds of crime. Assistance in the form of advisory services and training were required for law enforcement agencies and prosecutorial authorities in order to improve their capacity to investigate and prosecute complex cases involving also financial offences, as well as to collect, analyse, preserve and evaluate evidence. Several delegations, in underlining the importance of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (E/CONF.82/15 and Corr.2), as well as the need to ensure its implementation through putting in place the necessary legislation, reported on joint initiatives and collaborative projects.

85. Terrorism was an issue stressed by many delegations. It was emphasized that terrorist groups were modifying their methods and becoming an even greater threat to society, democracy and stability. Terrorist groups were using the same channels as organized crime to obtain the resources or skills needed to carry out their activities.

86. The international community should demonstrate solidarity against terrorist crimes, no matter what its motivation. Terrorists should not be accorded any special privileges because their crimes might be committed for motives other than material gain. Such crimes should be treated like any others, to be dealt with effectively by the criminal justice system, without disregarding the plight of victims or the paramount principles of justice and the protection of fundamental rights.

87. In an increasing number of cases evidence had been discovered showing that terrorist groups and organized criminal groups were working in cooperation. Several delegations expressed the view that terrorist crimes were a form of organized crime. These possible links should be accorded appropriate attention by the international community. Other delegations, however, stressed that excessive concentration on such links might result in losing insights and opportunities for even more effective international cooperation. Still other delegations noted the distinction between terrorist crimes and the legitimate struggle of national liberation movements against foreign occupation.

88. There was a growing concern about environmental protection, reflecting increasing public awareness of the threat posed to the quality of life by environmental damage. However, much national legislation remained piecemeal. In the absence of international guidelines, many countries had not yet introduced penal legislation to protect the environment. Several countries considered that offences against the environment

should be penalized as strictly as other, more traditional, forms of criminality, and that, in general, current national and international measures were inadequate. Many States expressed their wish to reinforce their cooperation in the face of the growing menace posed by environmental offences, although it was recognized that the concept of the role of the criminal law in protecting the environment needed further refinement.

89. Many States supported the introduction of corporate criminal liability, where this was not already in force, in order to prevent abuses both by enterprises and municipal authorities against the environment. Examples of activities carried out by such entities included contracting for public works, waste disposal, the construction of installations, and water treatment facilities. The penalties that might apply to corporate offences included substantial fines, the dissolution or closure of the entity involved, its expulsion from public markets, placing it under judicial supervision, restricting its activities, confiscation of the product or instrument used in the offence, and the publication of the judicial decision against the entity. However, criminal liability of corporate entities should not exonerate culpable individuals.

90. Regional cooperation was becoming increasingly important given the transboundary nature of environmental damage. In this regard, treaties on extradition and mutual assistance in criminal matters, based on the United Nations model treaties, would be a useful basis for cooperation. A number of countries urged that national legislation be reviewed with a view to making laws more compatible. Elaboration of United Nations guidelines on the enforcement of environmental protection through the criminal law would also be useful.

91. International cooperation in the area of environmental protection through the use of the criminal law would include the further examination of the issue by expert working groups and increased exchanges of information concerning legislation and protection measures. Better exchange of evidence and simplification of investigation methods should also be pursued. Specific training programmes, meetings and exchanges of trainees at the regional and international levels should be supported in this connection.

92. Other possible initiatives for environmental protection would be the establishment of an international tribunal for the prosecution and trial of transnational environmental crimes and the setting up of a central body to collect, analyse and distribute relevant information and to coordinate all relevant technical operational activities through an agreed channel, such as the United Nations.

93. It was suggested that the Commission should give consideration to the desirability of the introduction by countries of a general environmental offence into their legislation in order to close legal loopholes currently existing in many jurisdictions. It should also study problems of jurisdictional competence in respect of transboundary offences, as well as the question of which entities should have the right to bring an action before a court or tribunal.

C. Consideration of agenda item 5 in Committee I

Criminal justice and police systems; management and improvement of police and other law enforcement agencies, prosecution, courts and corrections, and the role of lawyers (topic iii)

Introduction

94. At its 1st plenary meeting, on 29 April 1995, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders decided to allocate to Committee I agenda item 5, entitled "Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections, and the role of lawyers" (topic III).

95. For its consideration of the item, the Committee had before it the following documents:

(a) Working paper prepared by the Secretariat on criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections and the role of lawyers (A/CONF.169/6);

(b) Background paper for the workshop on international cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information (A/CONF.169/13);

(c) Progress report prepared by the Secretariat on the United Nations Crime and Justice Information Network: present and future dimensions; towards the establishment of a United Nations crime and justice clearing-house (A/CONF.169/13/Add.1);

(d) Interim report prepared by the Secretariat on the results of the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems (A/CONF.169/15);

(e) Report of the Asia and Pacific Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.1/Rev.1 and Rev.1/Corr.1);

(f) Report of the African Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.2);

(g) Report of the European Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.3 and Corr.1);

(h) Report of the Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.4);

(i) Report of the Western Asia Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.5);

(j) Documentation list of United Nations surveys of crime trends and operations of criminal justice systems (1970-1995) (A/CONF.169/CRP.2);

(k) Statistical tables (A/CONF.169/CRP.3).

Proceedings

96. At its 1st to 5th meetings, from 29 April to 1 May 1995, the Committee held a general discussion on the item. At its 1st meeting, the representative of the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna made an introductory statement.

97. Also at the 1st meeting, on 29 April, statements were made by the representatives of France (on behalf of the European Union), the United Kingdom of Great Britain and Northern Ireland, Germany, China, Algeria and Cuba. A statement was also made by an individual expert (Argentina).

98. At the 2nd meeting, on 30 April, statements were made by the representatives of France, Canada, Russian Federation, Islamic Republic of Iran, Egypt, Syrian Arab Republic, Israel and Germany. The observer for the International Centre for Criminal Law Reform and Criminal Justice Policy also made a statement.

99. At the 3rd meeting, on 30 April, statements were made by the representatives of Belgium, Uganda, Slovenia, South Africa, Chile, Austria, Kuwait, Saudi Arabia and Brazil. The representative of Iraq made a statement in right of reply. The observer for the Federation of Bar Associations, a non-governmental organization, also made a statement.

100. At the 4th meeting, on 1 May, statements were made by the representatives of Jordan, Russian Federation, Romania, Ukraine, Republic of Korea, Peru, Libyan Arab Jamahiriya, The Former Yugoslav Republic of Macedonia and the Philippines. The observer for the Arab Security Studies and Training Centre, an intergovernmental organization, also made a statement. A statement was also made by an individual expert (Canada).

101. At its 5th meeting, on 1 May, statements were made by the representatives of Spain, Argentina, Poland, South Africa and Sudan. The observers for the Asian Crime Prevention Foundation and Amnesty International, non-governmental organizations, also made statements.

102. On 2 and 3 May 1995, the Committee held a workshop on international cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information (topic (f)), whose report is contained in chapter VI.

103. On 4 and 5 May 1995, the Committee held a workshop on environmental protection at the national and international levels: potentials and limits of criminal justice (topic (e)), whose report is contained in chapter VI.

General discussion

104. In the introductory statement by the representative of the Secretariat, it was noted that the topic involved various issues related to the functioning of criminal justice, including the role of lawyers. The topic could be considered as the logical extension of one of the priority themes identified by the Commission on Crime Prevention and Criminal Justice — namely, "Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies.[37]

105. In presenting the documents before the Committee, the representative of the Secretariat noted that the United Nations regional institutes (the European Institute on Crime Prevention and Control affiliated with the United Nations (Helsinki, Finland); the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (Kampala, Uganda); the Asia and Far East Institute on the Prevention of Crime and the Treatment of Offenders (Fuchu, Tokyo, Japan), with the Australian Institute of Criminology (Canberra, Australia); and the Latin American Institute for the Prevention of Crime and the Treatment of Offenders (San José, Costa Rica)) had prepared four regional reports related to the analysis of the results of the Fourth United Nations Survey on Crime Trends and Operations of Criminal Justice Systems (1986-1990).[38]

106. Having highlighted the main issues dealt with in the working paper, the speaker stressed the importance of criminal justice information management in improving criminal justice systems overall and making them more cost-effective, thus enabling them to fulfil their objectives, address priority needs, and deliver the services required.

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[37] See ECOSOC resolution 1992/22.

[38] The reports are available from the respective institutes.

107. Further to the introduction of the item and the presentation of its relevant documentation by the Secretariat, a debate followed with interventions from representatives of Member States, intergovernmental and non-governmental organizations, and experts in their individual capacities.

108. There was general agreement that modern policing involved not only law enforcement and security issues but also a variety of approaches designed to solve social conflicts. Community policing was mentioned as a key strategy in a number of countries for achieving greater police accountability and increasing public involvement in police activities. Technical cooperation in the area of law enforcement was seen as important in enhancing the performance of law enforcement officials and fostering modern policing strategies, not only to share information on the functioning of criminal justice systems and recent changes in legislation but also to increase the effectiveness of operational activities.

109. Many delegates pointed out that their national criminal justice systems ensured the independence of the prosecution, both politically and in decisions on whether to prosecute a case (and bring it to justice). The Guidelines on the Role of Prosecutors, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, were regarded as a useful tool to ensure the proper functioning of criminal justice systems.

110. Representatives of States also emphasized that procedures for transboundary investigations should be simplified and new methods of investigation used. In particular, criminal justice and police systems should be harmonized in order to allow for easier communication and collaboration. In rationalizing criminal justice procedures, the principle of fairness, particularly as regards the proper and timely preparation of cases, was applied in various countries. It was emphasized that a basic principle of prosecution should be that cases were brought to justice only if sufficient evidence existed and that any case which was brought to justice had to respond to the public interest. While the view was expressed that prosecutors needed a measure of discretion in order to perform their duties properly, it was also noted that such discretion had to be defined by precise parameters and be supervised by both the public and parliament. Speakers supported the idea of establishing an international association of prosecutors.

111. As regards the judiciary, constitutions and national laws guaranteed the independence of magistrates. In noting that disciplinary action against judges or magistrates was in compliance with the Basic Principles on the Independence of the Judiciary, some participants emphasized that there was still need for fuller compliance with the Principles and for intensified efforts aimed at their implementation. The education and continuing training of magistrates should ensure their proper performance and the practical benefits of their independence. It was reported that in many criminal justice systems, the appointment of judges and magistrates was independent of any political or other influence and entirely dependent on the capacity and professionalism of the applicant. It was further felt by some representatives that the judiciary should reflect the composition of the community in terms of gender, race and social class. There should be autonomous supervision of judges and magistrates, with possible charges restricted to formal grounds.

112. The problems of court case overload and of the resultant delays in proceedings were mentioned repeatedly. Participants stressed that the immediate appearance of the suspect before a competent court or judicial authority was an objective of paramount importance in order to meet the basic legal rights of the suspect. Other approaches mentioned were release on parole and mediation, restitution and compensation — in particular, for first offences and young offenders.

113. Issues related to prison administration were also addressed — particularly the continuous efforts to improve the recruitment and training of prison officials as a way of improving the treatment of offenders in prisons. Many representatives expressed concern about poor prison conditions and the high cost of prisons and their administration. Various speakers called for increased assistance by the United Nations in improving sometimes devastating prison conditions. It was pointed out that correctional services very often had to be

sacrificed when national budgets were being cut or when priorities were re-evaluated. Prison reforms were under way or were seriously being considered in various countries, with a view to guaranteeing full respect for the individual rights of prisoners, as reflected in international instruments. Various means could be applied to improve the situation of both staff and inmates in prisons. In many cases, improvements could even be made without high expenditure, with the goodwill of all the parties involved. It was suggested that prison routine should be reviewed in order to improve the management of daily prison life. Certain countries emphasized that imprisonment should be combined with education, medical treatment and various crime prevention programmes. Statements were heard on the legal impact of previous United Nations Congresses on the Prevention of Crime and the Treatment of Offenders on criminal justice reforms in Member States and the important role of those forums in promoting practical and action-oriented exchanges on criminal policy matters and crime prevention.

114. Many countries were sharing experiences on the use of non-custodial measures and several speakers pointed out the importance of the discussions held on that subject at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Non-custodial sanctions were increasingly regarded as an appropriate reaction to a large number of criminal acts, even though, on a global scale, the implementation of alternatives to imprisonment was still at a nascent stage. It was also mentioned that in certain countries more than two thirds of all criminal proceedings were dealt with by the judiciary and non-custodial sanctions. Furthermore, such measures were seen as lowering the human and financial costs of corrections and helping to achieve better prison conditions indirectly by reducing the prison population. Experiences with electronic surveillance of convicted persons serving their sentences at home were also reported.

115. With regard to the role of lawyers, many representatives indicated that, in order to ensure the proper defence of the accused, lawyers were legally protected and the autonomy of lawyers was guaranteed. In many countries bar associations were established to ensure the proper functioning of legal counsel. However, it was noted that more emphasis should, in some cases, be placed on the social aspects of advocacy, including the representation of offenders by laypersons. Some experiences with social advocacy demonstrated the need for conflict resolution rather than the application of strict formal rules and regulations.

116. The importance of computer technology in disseminating information in the field of crime control was emphasized, and participants exchanged experiences in the use of computerization in criminal justice administration. Since offenders employed new technologies, the police and other agencies also had to use new techniques for the proper investigation of cases. The use of computer technology and of computerized criminal justice administration could help to lighten caseloads and shorten delays in criminal justice administration. Examples were given, and plans for system-wide computerization were described. It was noted that electronic information collection required the appropriate protection of individual privacy, especially through the implementation of regional conventions and other international instruments on the protection of personal data.

117. As regards measures to combat organized crime, international cooperation was regarded as crucial in addressing the need for updated information on the operational trends of organized crime, particularly in terms of offenders' current modes of operation and means of perpetrating organized crime. It was suggested that a centralized data bank be established on criminal organizations and their illegal activities. It was considered important that all aspects of the functioning of the criminal justice system be transparent and the personnel accountable in order for the system to gain public trust and respect, nationally and internationally. Political and administrative hindrances to opening up the criminal justice system had to be overcome, as was noted in the Secretariat's interim report on the Fourth United Nations Survey on Crime Trends and Operations of Criminal Justice Systems (A/CONF.169/15). If societies did not feel that the governmental criminal justice apparatus supported and maintained public order effectively, they were more likely to rely on extra-legal measures to safeguard their security. An important illustration of the extent to which a system might be described as transparent was the way in which it dealt with its own failures and indiscretions. Adequate measures to prevent

the abuse of power by law enforcement and other officials were regarded as crucial elements in the implementation of the concept of good governance.

118. There was general consensus that existing criminal justice systems should be strengthened through appropriate legislative and administrative reforms. Mention was made of the technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme. It was suggested that the programme should be further strengthened and that the issue of limited resources should be duly discussed, also in the context of assistance in the management of criminal justice. At the same time, cooperation at all levels needed to be ensured.

119. The need for training law enforcement officials in all existing methods of criminal justice information processing was emphasized. Non-governmental organizations and individual experts offered their assistance in improving the efficacy and humane approach of law enforcement agencies and supporting more elaborate training of the police. They urged Member States to ensure a reduction in the use of pre-trial detention. At the same time, Member States were urged to respond to the United Nations questionnaires, providing appropriate and sufficient information for United Nations reports on the use and application of norms and standards, as a prerequisite for viable data collection and dissemination at the international level.

Consideration of draft proposals

120. At the 3rd meeting, on 30 April, the representative of the Netherlands introduced a draft resolution (A/CONF.169/L.4) entitled "Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners". Statements were made by the representatives of Cuba, the United Kingdom of Great Britain and Northern Ireland, Ireland, Japan, Egypt and the Netherlands, after which a revised text of the draft resolution was issued (A/CONF.169/L.4/Rev.1). Argentina, Austria, Belgium, Canada, Finland, France, Germany, Ireland, Italy, Morocco, the Netherlands, Portugal, Sweden and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the revised draft resolution.

121. At the 6th meeting, on 6 May, the Committee had before it a revised draft resolution (A/CONF.169/L.4/Rev.2) submitted by the representative of the Netherlands, also on behalf of Argentina, Austria, Belgium, Canada, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Morocco, New Zealand, Norway, Portugal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland. Subsequently Brazil and Switzerland joined in sponsoring the revised draft resolution.

122. At the same meeting, the Committee adopted the revised draft resolution (A/CONF.169/L.4/Rev.2). (see para. 128).

123. At the 3rd meeting, on 30 April, the representative of Poland introduced a draft resolution (A/CONF.169/L.9) entitled "Criminal justice management in the context of accountability of public administration and sustainable development". Statements were made by the representatives of Canada and the United Kingdom of Great Britain and Northern Ireland.

124. At the 6th meeting, on 6 May, the Committee had before it a revised draft resolution (A/CONF.169/L.9/Rev.1).

125. At the same meeting, the representative of Egypt made the following amendments to the revised draft resolution: in operative paragraphs 5 and 6, the word "relevant" was inserted before the words "intergovernmental and non-governmental organizations".

126. At the same meeting, the Committee adopted the revised draft resolution (A/CONF.169/L.9/Rev.1), as orally amended (see para. 128).

127. At the 6th meeting, on 6 May, the Committee took note of the report of the workshop on topic (f): international cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information.

Recommendations of the Committee

128. At the end of its discussions, Committee I recommended to the Congress the adoption of two draft resolutions, the text of which is contained respectively in the following documents: (i) A/CONF.169/L.4/Rev.2 on Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners; and (ii) A/CONF.169/L.9/Rev.1 on Criminal justice management in the context of accountability of public administration and sustainable development.

D. Consideration of agenda item 6 in Committee II

Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives

Introduction

129. At its first plenary meeting, on 29 April 1995, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders decided to allocate to Committee II agenda item 6, entitled "Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives" (topic IV).

130. For it consideration of the item, the Committee had before it the following documents:

(a) Working paper prepared by the Secretariat on crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives (A/CONF.169/7);

(b) Background paper for the workshop on extradition and international cooperation: exchange of national experiences and implementation of extradition principles in national legislation (A/CONF.169/8);

(c) Background paper for the workshop on mass media and crime prevention (A/CONF.169/9);

(d) Background paper for the workshop on urban policy and crime prevention (A/CONF.169/10);

(e) Background paper for the workshop on the prevention of violent crime (A/CONF.169/11);

(f) Discussion guide (A/CONF.169/RPM.1 and Corr.1);

(g) Discussion guide on demonstration and research workshops to be held at the Ninth United Nations Congress on the Prevention of Crime and Treatment of Offenders (A/CONF.169/RPM.1/Add.1);

(h) Report of the Asia and Pacific Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.1/Rev.1 and Rev.1/Corr.1);

(i) Report of the African Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.2);

(j) Report of the European Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.3);

(k) Report of the Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.4);

(l) Report of the Western Asia Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.5).

Proceedings

131. At its 1st to 5th meetings, on 29 and 30 April and 2 May 1995, the Committee held a general discussion on the item. At the 1st meeting, on 29 April, the representative of the Crime Prevention and Criminal Justice Branch made an introductory statement.

132. Also at the 1st meeting, on 29 April, statements were made by the representatives of France (on behalf of the States Members of the United Nations that are members of the European Union), Japan, Canada, Germany, the United Kingdom of Great Britain and Northern Ireland, China, Botswana, Turkey and Cuba.

133. At the 2nd meeting, on 30 April, statements were made by the representatives of Malta, Uganda, the Islamic Republic of Iran, Austria, Australia, Israel, France, Italy and Togo. The observer for the International Committee of the Red Cross, an intergovernmental organization, made a statement. A statement was also made by an individual expert.

134. At the 3rd meeting, on 30 April, statements were made by the representatives of Sweden, Slovenia and Algeria. The observer for the Arab Security Studies and Training Centre, an intergovernmental organization, made a statement. The observer for the World Society of Victimology, a non-governmental organization, also made a statement.

135. At the 4th meeting, on 2 May, statements were made by the representatives of Ukraine, Venezuela, Chile, Egypt, Argentina, Peru and Pakistan. The observer for the Japan Federation of Bar Associations, a non-governmental organization, also made a statement.

136. At the 5th meeting, on 2 May, statements were made by the representatives of the Philippines, Belgium, the Republic of Korea, South Africa, Azerbaijan and Colombia. The observers for the Defense for Children International, the International Society for Traumatic Stress Studies and the International Centre for the Prevention of Crime, non-governmental organizations, also made statements.

137. On 1 May, the Committee held a workshop on mass media and crime prevention (topic (b)).

138. At the 6th meeting on 7 May, the Committee took note of a report by the Chairman on the workshop (A/CONF.169/C.2/L.1, as orally amended).

139. On 3 May, the Committee held a workshop on extradition and international cooperation: exchange of national experience and implementation of relevant principles in national legislation (topic (a)).

140. On 7 May, the Committee had before it a report by the Chairman on the workshop (A/CONF.169/L.23), which it decided to forward to the Plenary for its consideration.

141. On 4 May, the Committee held a workshop on urban policy and crime prevention (topic (c)).

142. At the 6th meeting, on 7 May, the Committee took note of a report by the Chairman on the workshop (A/CONF.169/C.2/L.2, as orally amended).

143. On 5 May, the Committee held a workshop on prevention of violent crime (topic (d)).

144. At the 6th meeting, on 7 May, the Committee took note of a report by the Chairman on the workshop (A/CONF.169/C.2/L.3, as orally amended).

General discussion

145. The representative of the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna introduced the documentation related to the item, emphasizing that the topic was one that touched most countries directly in various ways. The prevention of urban crime, the question of victims of crime, and the promotion of international cooperation in crime prevention converged as part of the larger problem. If comprehensive and integrated preventive policies were not instituted, current urbanization rates and demographic trends were bound to exacerbate the situation. Preventive action, including both generic and specific crime prevention and both "situational" and in-depth measures, offered constructive prospects, particularly where repressive models of crime control had largely failed.

146. Issues dealt with under the topic, including the exposure to petty criminality and risk of more serious crime, affected everyone, for they concerned people's sense of security or insecurity, which permeated daily life. Violence was becoming a frightening fact of life, not only in areas of ethnic strife but also in so-called "urban war zones", inner cities, marginalized outskirts of towns and other areas where exclusion, want and stress reduced legitimate prospects and drove an increasing number of unemployed youth to turn to illicit pursuits. Relative deprivation as a major cause of violence and criminality was likely to be accentuated by the widening gap between haves and have-nots, within and between countries. That fact underlined the importance of greater justice as a preventive strategy, along with the pervasive need for security, as reflected in the theme of the Congress.

147. Participants noted that the sub-topics under the item were interrelated; in fact, they represented different aspects of a larger problem which had to be tackled in a comprehensive and coherent manner. Rapid urbanization, particularly in developing countries, was compounding crime problems, especially under the severe economic constraints that curtailed the availability of requisite services and facilities. The concentration of the disadvantaged in certain urban areas, without adequate means of subsistence or social support, was conducive to instability, just as the upsurge of criminality reflected a breakdown in the rule of law, which impaired the quality of life. Rapid, unplanned development was a major factor in the deterioration of the urban scene. The accompanying changes, loosening of traditional ties and weakening of moral values tended to create anomic conditions. It was to be expected that the frustrations and hopelessness of their existence would drive some inhabitants to crime, facilitated by the anonymity and alienation of the urban context, and even to eruptions of violence. Economic offences, usually targeted at places of business, construction sites, communication installations etc. were largely an urban phenomenon, with fraud, larceny and robbery on the rise. Large-scale migration was also a factor in reducing stability, and migrants were at risk of becoming both offenders and victims. They tended to congregate in run-down areas, and their visibility made them an easy target for apprehension.

148. Many delegates expressed their concern about the fact that every year many people in the world were killed or injured in crimes committed with firearms. It was important, among other things, to regulate firearms, which were most frequently used in such heinous crimes as murder and robbery. Most participants noted that those crimes in which guns were used could be reduced by proper regulation of the possession and sale of

firearms. The attitudes towards firearms were different from country to country and, as a result, Member States had different systems of regulation. With large profits to be made in the sale of illegal firearms, it was not surprising to find that many were being transported across national borders in search of new markets. It was thought to be extremely difficult for each Member State to regulate firearms by itself. International cooperation was seen as indispensable, especially in respect to suppressing illicit trafficking in firearms, which frequently involved criminal organizations. Discussion and the exchange of experience and data would help to build a common understanding. The need to study the criminal situation on crimes in which guns were used, illicit transactions in guns, and legislation and regulations relevant to the control of firearms in each country, was expressed. The linkage between easy access to firearms and the frequent accidents and suicides involving the use of firearms was also stressed. It was recommended that the Commission on Crime Prevention and Criminal Justice, should provide a suitable forum for the discussion of problems concerning the regulation of firearms.

149. The current demographic trends, high urbanization rates and widespread poverty were likely to exacerbate the problems of dysfunctional urban concentrations, which could well get out of hand, if adequate preventive measures were not instituted. Other United Nations forums, such as the United Nations International Conference on Population and Development and the world social Summit, highlighted some of those problems, which could be pursued jointly. The multiple factors involved in urban criminality and in the manifestations of violence called for multidimensional preventive policies and an integrated approach. The integrated approach included national and local strategies that were consonant and mutually supportive. The trend was towards decentralization. Local diagnoses of crime problems provided a suitable basis for decision-making, and local authorities, such as mayors, were close enough to the people to make preventive action meaningful and democratic, especially if it was visible and transparent.

150. To achieve optimum results, it was necessary to proceed on several fronts and involve all the parties concerned, including various services and agencies (health, education, housing, social services etc.). Those services and agencies had to be properly coordinated, under the leadership of a key figure committed to the task at hand and able to mobilize concerted action by all those concerned, including non-governmental organizations, representatives of the public, social organizations, academic committees, the media and the private sector. Such broad-based action utilized local partnerships and flexible contractual agreements. Such an approach, guided by multisectoral councils and supported by national crime prevention bodies, had shown promise in several countries, whose representatives described the experience gained. Its evaluation was an indispensable adjunct of effective action, as was the continuity of efforts and policy adjustments to changing socio-economic situations.

151. The potential of community-based projects for crime prevention was emphasized by many delegates. Neighbourhood "watch groups", mediation boards and public security committees were grass-roots organizations that played an active role in crime prevention in various countries. Their familiarity with local problems and conflicts made it possible for them to make a particularly relevant contribution, settling disputes and other matters affecting public security.

152. The community-based approach was also the guiding principle governing community policing and problem-solving forms of law enforcement, which brought the police and the public closer together. Ways of encouraging dialogue and cooperation between them could be facilitated by setting up networks of local police stations, which had proved successful in some countries and was being tried in others. The networks could handle minor offences and help prevent conflicts. The traditional focus on offenders, it was noted, had to be complemented by a more sophisticated approach, taking account of the dynamics of crime problems and offering a range of preventive interventions.

153. The performance of public security functions was enhanced by professional police training, deployment of public security teams, especially in "hot-spots", and the availability of modern technology to help the police discharge their preventive functions. Democratic policing represented a special challenge, particularly for

countries in transition and others eager to increase confidence in the police as an institution, which had to maintain a delicate balance between providing security and respecting the basic freedoms and human rights of citizens. A proper legal framework was necessary for that purpose, to help combat serious criminality while protecting people's personal and legal rights and interests from being violated.

154. Special emphasis was given to the elimination of violence against women, an issue of global concern at the national and international levels. Violence against women occurred both in the domestic context and in society generally, at all points of the economic spectrum regardless of the age, culture, or religion of the parties. It was seen as a reflection of women's structural and systematic inequality in society and as a means of maintaining that inequality. In addition to a legal system that assured women's equality, a network of front-line services (sexual assault centres, transition houses) and legal-aid programmes were seen as key elements in preventing violence against women.

155. It was pointed out that not only the symptoms but also the underlying causes of criminal behaviour had to be tackled. Attention thus had to be given to basic institutions, such as the family, the school and the wider society. The International Year of the Family had made some cogent recommendations, and the role of education could be significantly enhanced. The mass media, it was noted, could play a more constructive role, if they promoted the educational process and curtailed their penchant for sensationalism and the over-programming of violence. Indeed, the media could be a major means of furthering crime prevention, by increasing public awareness and knowledge, dispelling negative attitudes, publicizing successes in crime prevention and fostering a feeling of security.

156. The community played a key role in shaping attitudes and behaviour and could serve as a positive factor. Social welfare officers and other community workers could make a major contribution to crime prevention. While certain, swift and equitable responses to major infractions were required as alternatives to punishment and, especially, to incarceration for less serious infractions, community-based sanctions could help in the rehabilitation of offenders, making them self-reliant, productive members of society. Risk-assessment procedures could be refined so as to increase success rates and facilitate more viable responses to crime. That process would also reduce the feeling of powerlessness currently prevailing in many places.

157. Situational crime prevention was also needed, and a number of representatives cited the steps taken in their countries to that effect. They ranged from better lighting and improved safety in car parks and shopping centres to a wider concept of "safe houses" for children, safety programmes for the elderly, and improved physical design.

158. A central facet of justice and task of government, it was noted, was the protection of the quality of life of all citizens, and one of the essential indicators of the quality of life was the extent to which people felt safe and secure. Crime prevention thus had a key role to play in ensuring sustainable development and a better life for all.

Consideration of draft proposals

159. The Committee had before it a draft resolution entitled "Recommendations of the National Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Buenos Aires from 7 to 10 August 1994" (A/CONF.169/L.3), submitted by the delegation of Argentina in accordance with rule 28 of the rules of procedure.

160. The Committee had before it a draft resolution entitled "Recommendations on the substantive topics discussed by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders" (A/CONF.169/L.10), submitted by the delegation of Uganda in accordance with rule 28 of the rules of procedure.

161. The Committee had before it a draft resolution entitled "Measures to combat all forms of racism and racial discrimination, xenophobia and intolerance" (A/CONF.169/L.13), submitted by the delegation of Turkey in accordance with rule 28 of the rules of procedure.

162. At the 4th meeting, on 2 May, the representative of Uganda introduced a draft resolution (A/CONF.169/L.18) entitled "Recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders", submitted on the basis of draft resolutions A/CONF.169/L.3, L.10 and L.13 and sponsored by Argentina, Botswana, Central African Republic, Gambia, Lesotho, Malawi, Rwanda, Swaziland, Turkey and Uganda. Intersessional informal consultations, under the chairmanship of the Vice-Chairman of the Committee, took place on the following days.

163. Action on a revised text of the draft resolution (A/CONF.169/L.18/Rev.1) was taken at the 17th plenary meeting on 7 May (see resolution II).

164. At the 3rd meeting, on 30 April, the representative of Japan introduced a draft resolution entitled "Control of firearms" (A/CONF.169/L.8), which had been submitted in accordance with rule 28 of the rules of procedure.

165. At the 6th meeting, on 6 May, the representative of Japan introduced a revised draft resolution entitled "Firearms regulation for purposes of crime prevention and public safety" (A/CONF.169/L.8/Rev.2), sponsored by Australia, Austria, Brazil, Canada, Colombia, Finland, Germany, the Islamic Republic of Iran, Italy, Japan, Malaysia, Morocco, the Netherlands, the Philippines, the Republic of Korea, the Russian Federation, Sweden, Thailand, Turkey and Ukraine, subsequently joined by Bolivia, Indonesia, Mali, Norway, Togo and the United Kingdom of Great Britain and Northern Ireland.

166. At the same meeting, statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, Germany, Japan, Australia, Egypt, Canada, the Russian Federation and Sweden. The Executive Secretary of the Congress also responded to questions raised.

167. Also at the same meeting, the Committee adopted draft resolution A/CONF.169/L.8/Rev.2, as orally amended (see para. 184).

168. At the 3rd meeting, on 30 April, the representative of Canada introduced and orally revised a draft resolution entitled "Elimination of violence against women" (A/CONF.169/L.7), which had been submitted in accordance with rule 28 of the rules of procedure.

169. The Committee had before it a draft resolution entitled "Violence against women" (A/CONF.169/L.16), submitted by the delegation of Turkey in accordance with rule 28 of the rules of procedure.

170. At the 7th meeting, on 7 May, the representative of Canada introduced and orally revised a revised draft resolution entitled "Elimination of violence against women" (A/CONF.169/L.7/Rev.1), sponsored by Argentina, Australia, Austria, Barbados, Belgium, Benin, Brazil, Cameroon, Canada, Cape Verde, the Central African Republic, Chile, Colombia, Comoros, Finland, France, Greece, Guinea-Bissau, Ireland, Israel, Malaysia, Morocco, New Zealand, Panama, Paraguay, the Philippines, Poland, Portugal, Sao Tome and Principe, Sierra Leone, Slovenia, South Africa, Spain, Sweden, Togo, Turkey, Uganda and the United States of America. Subsequently, Azerbaijan, Indonesia, Mali, Malta, the Netherlands, Norway, Oman, The Former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Switzerland joined in co-sponsoring the draft resolution.

171. Statements were made by the representatives of Egypt, the Islamic Republic of Iran, Indonesia, Canada and Turkey.

172. At the same meeting, the Committee adopted draft resolution A/CONF.169/L.7/Rev.1, as orally amended (see para. 184).

173. After the adoption of the draft resolution, the representative of Canada made a statement.

174. In light of the adoption of draft resolution A/CONF.169/L.7/Rev.1, as amended, draft resolution A/CONF.169/L.16 was withdrawn by the sponsor.

175. The Committee had before it a draft resolution entitled "Application of United Nations standards and norms in juvenile justice" (A/CONF.169/L.5 and Corr.2), submitted by the delegation of Austria in accordance with rule 28 of the rules of procedure.

176. The Committee had before it a draft resolution entitled "Elimination of violence against children" (A/CONF.169/L.11), submitted by the delegation of Belgium in accordance with rule 28 of the rules of procedure.

177. At the 5th meeting, on 2 May, the representative of Austria introduced and orally revised a draft resolution entitled "Children as victims and perpetrators of crime in the United Nations criminal justice programme: from standard setting towards implementation and action" (A/CONF.169/L.19), sponsored by Austria and Belgium and submitted on the basis of draft resolutions A/CONF.169/L.5 and Corr.2 and A/CONF.169/L.11.

178. At the 6th meeting, on 6 May, the representatives of Austria and Belgium introduced and orally revised a revised draft resolution (A/CONF.169/L.19/Rev.1), sponsored by Austria, Argentina, Belgium, Benin, Burundi, Canada, France, Greece, Ireland, Israel, Italy, the Netherlands, Paraguay, the Philippines, Portugal, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland, subsequently joined by Azerbaijan, Germany, Nigeria, Norway and South Africa.

179. Also at the 6th meeting, statements were made by the representatives of Argentina, the United Sates of America, China, the United Kingdom of Great Britain and Northern Ireland, the Islamic Republic of Iran, Nigeria, Egypt, Canada, Paraguay, Japan, New Zealand, the Netherlands and Tunisia.

180. At the 7th meeting, on 7 May, statements were made by the representatives of Belgium, Argentina, China, Togo, the Netherlands, Egypt, the Islamic Republic of Iran, France, Tunisia, Canada, Kuwait, the United States of America, Paraguay, Nigeria, Austria, Japan and Cameroon.

181. At the same meeting, the Committee adopted draft resolution A/CONF.169/L.19/Rev.1, as orally amended (see para. 184).

182. After the adoption of the draft resolution, the representative of Austria made a statement.

183. In light of the adoption of draft resolution A/CONF.169/L.19/Rev.1, as amended, draft resolutions A/CONF.169/L.5 and Corr.2 and L.11 were withdrawn by the sponsors.

Recommendations of the Committee

184. At the end of its discussions, Committee II recommended to the Congress for adoption three draft resolutions, the text of which is contained respectively in the following documents: (i) A/CONF.169/L.8/Rev.2, as orally amended, on Firearms regulation for purposes of crime prevention and public safety; (ii) A/CONF.L.169/L.7/Rev.1, as orally amended, on Elimination of violence against women; and (iii)

A/CONF.169/L.19/Rev.1, as orally amended, on Children as victims and perpetrators of crime and the United Nations criminal justice programme: from standard setting towards implementation and action.

E. Report of the Credentials Committee

185. At its 1st plenary meeting, on 29 April 1995, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in accordance with rule 4 of the rules of procedure of the Congress, appointed a Credentials Committee composed of the following States: China, Ecuador, Lesotho, Portugal, Russian Federation, Togo, United States of America, Uruguay and Viet Nam.

186. The Credentials Committee held one meeting, on 5 May 1995.

187. H.E. Mr. Eduardo Nunes de Carvalho (Portugal) was unanimously elected Chairman of the Committee.

188. The Committee had before it a memorandum by the Executive Secretary of the Congress, dated 4 May 1995, on the status of credentials of representatives of States attending the Congress. Additional information on credentials received by the Executive Secretary of the Congress after the issuance of the memorandum was provided to the Committee by the Secretary of the Committee. On the basis of the information made available to it, the Committee noted that, as at 5 May 1995; 78 States had submitted formal credentials for their representatives issued by the Head of State or Government or by the Minister of Foreign Affairs, as provided for in rule 3 of the rules of procedure of the Congress. The Committee also noted that the designation of representatives of 60 other States participating in the Congress had been communicated by means of facsimile or in the form of letters or notes verbales from ministries, embassies, permanent missions to the United Nations or other government offices or authorities, or through local United Nations offices.

189. The Chairman proposed that the Committee adopt the following draft resolution:

> "*The Credentials Committee*,
>
> "*Having examined* the credentials of the representatives to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, referred to in paragraph 4 of the present report,
>
> "1. *Accepts* the credentials of the representatives of the States referred to in paragraph 4 (a) above;
>
> "2. *Accepts* the provisional participation of the representatives of the States referred to in paragraph 4 (b) above, pending the receipt of their credentials;
>
> "3. *Recommends* that the Congress should approve the report of the Credentials Committee."

190. The draft resolution proposed by the Chairman was adopted by the Committee without a vote.

191. Subsequently, the Chairman proposed that the Committee should recommend to the Congress the adoption of a draft resolution. The proposal was approved by the Committee without a vote. For the text approved, see resolution 11, under Chapter I.

F. Action taken by the Congress

1. Recommendations on the four substantive topics of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

192. At its 16th plenary meeting on 7 May 1995, the Congress had before it a draft resolution entitled "Recommendations by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders" (A/CONF.169/L.18/Rev.1), sponsored by Argentina, Turkey and Uganda as agreed upon following inter-sessional informal consultations.

193. The President made a statement.

194. Statements were made by the representatives of Argentina, France, Spain and the United Kingdom.

195. The Congress decided to postpone action on the draft resolution, with the view to harmonizing its wording to that of other draft resolutions.

196. At its 17th plenary meeting, the representative of the United Kingdom informed the Congress on the outcome of the informal consultations on the draft resolution.

197. Statements were made by the representatives of Argentina, Bolivia, Brazil, Canada, France, Spain, the United Kingdom and the United States.

198. The Secretary-General of the Congress made a statement.

199. The representative of Japan proposed an oral amendment to the draft resolution.

200. It was announced that Bolivia, Chile, Israel, Nigeria, Panama, Paraguay and Togo had become sponsors of the draft resolution.

201. At the same meeting, the Congress adopted the draft resolution, as further orally amended (for the text, see chapter I, resolution 1).

202. The Congress decided that in accordance with the recommendations of the pre-Congress consultations, no action was required on draft resolutions contained in documents A/CONF.169/L.3, A/CONF.169/L.10, A/CONF.169/L.13 and A/CONF.169/L.17.

2. International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments

203. At its 16th plenary meeting on 7 May 1995, the Congress had before it a draft resolution entitled "International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments" (A/CONF.169/L.6/Rev.2).

204. At the same meeting, the Congress adopted the draft resolution (for the text, see chapter I, resolution 2), sponsored by Australia, Canada, China, Finland, Germany, Netherlands and New Zealand.

3. International instruments, such as a convention or conventions against organized transnational crime

205. At its 16th plenary meeting, the Congress had before it a draft resolution entitled "International instruments such as a convention or conventions against organized transnational crime" (A/CONF.169/L.2/Rev.2), sponsored by Argentina, Brazil, Colombia, Italy, Morocco, Netherlands, Paraguay, Russian Federation and United States.

206. At the same meeting, the Congress adopted the draft resolution (for the text, see chapter I, resolution 3).

4. Links between terrorist crimes and transnational organized crime

207. At its 16th plenary meeting, the Congress had before it a draft resolution entitled "Links between terrorist crimes and transnational organized crime" (A/CONF.169/L.12/Rev.1), sponsored by Egypt.

208. The President announced that Turkey had joined in sponsoring the draft resolution.

209. The representative of Egypt revised the draft resolution.

210. Statements were made by the representatives of Burundi, Egypt, Iran (Islamic Republic of), Iraq, Lebanon, Sudan and Syrian Arab Republic.

211. At the request of the President, the representatives of Iran (Islamic Republic of), Sudan and Syrian Arab Republic stated that they were not pressing for the inclusion of the amendments that they had proposed (A/CONF.169/L.21, A/CONF.169/L.27 and A/CONF.169/L.30), provided that the substance contained therein be reflected in the records of the meeting.

212. At the same meeting, the Congress adopted the draft resolution, as orally revised (for the text, see chapter I, resolution 4).

213. After the adoption of the draft resolution, statements were made by the representatives of Iran (Islamic Republic of), Iraq, Sudan and Syrian Arab Republic, in which they stressed that while they fully supported the consensus reached that terrorism should be condemned, it would have been preferable to better define terrorism so as to have a clear distinction between terrorist crimes and the legitimate struggle of national liberation movements against foreign occupation.

214. A statement was also made by the representative of France.

5. Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners

215. At its 16th plenary meeting, the Congress had before it a draft resolution entitled "Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners (A/CONF.169/L.4/Rev.2), as proposed to it for adoption by Committee I.

216. The Rapporteur of Committee I read out revisions to the draft resolution.

217. The representative of the United States stated that his delegation supported the resolution containing an invitation to the Commission on Crime Prevention and Criminal Justice to consider distributing to Member States a manual written by a non-governmental organization. However, he regretted to inform the Congress that a book which announced that it was a forthcoming joint publication of the United Nations and Penal Reform International was already in circulation. It had already been cited by another non-governmental

organization in a public controversy over accreditation of a high-security prison in the United States. In that controversy, which was reported in the news media, the other non-governmental organization relied on this book as a United Nations publication, the very issue which the Commission was supposed to decide upon. It was very upsetting to his Government. Accordingly, his Government was joining the consensus only on the understanding that no United Nations resources, facilities or personnel, postage privileges or translation services would be utilized in connection with the proposed manual until its co-sponsorship by the United Nations had been considered and approved by the Commission.

218. Statements were also made by the representatives of Egypt, Japan, Russian Federation, the United Kingdom and Venezuela.

219. At the same meeting, the Congress adopted the draft resolution, as orally revised (for the text, see chapter I, resolution 5).

6. Criminal justice management in the context of accountability of public administration and sustainable development

220. At its 16th plenary meeting, the Congress had before it a draft resolution entitled "Criminal justice management in the context of accountability of public administration and sustainable development" (A/CONF.169/L.9/Rev.1), as recommended to it by Committee I.

221. The Rapporteur of Committee I provided technical clarification.

222. Statements were made by the representatives of the United Kingdom and the United States.

223. The Secretary of the Congress made a statement.

224. The representative of Cuba proposed an amendment to the draft resolution.

225. At the same meeting, the Congress adopted the draft resolution as orally revised and amended (for the text, see chapter I, resolution 6).

7. Children as victims and perpetrators of crime and the United Nations criminal justice programme: from standard-setting towards implementation and action

226. At its 17th plenary meeting, the Congress had before it a draft resolution entitled "Children as victims and perpetrators of crime and the United Nations criminal justice programme: from standard-setting towards implementation and action" (A/CONF.169/L.19/Rev.1).

227. The Secretary of the Congress read out the revisions to the draft resolution.

228. A statement was made by the representative of Austria.

229. At the same meeting, the Congress adopted the draft resolution as orally revised (for the text, see chapter I, resolution 7).

230. After the adoption of the draft resolution, the representative of Morocco made a statement. It was also announced that Argentina, Azerbaijan, Burundi and Italy had become sponsors of the draft resolution.

8. Elimination of violence against women

231. At its 17th plenary meeting, the Congress had before it a draft resolution entitled "Elimination of violence against women" (A/CONF.169/L.7/Rev.1).

232. The Secretary of the Congress read out revisions to the draft resolution, as well as a list of additional sponsors, including Azerbaijan, Bolivia, Brazil, Cameroon, Chile, Colombia, Gambia, Germany, Guinea, Italy, Malta, Netherlands, Niger, Norway, Oman, Paraguay, Portugal, Switzerland, The former Yugoslav Republic of Macedonia, Uganda, United Kingdom and Venezuela.

233. The representative of Togo made a statement.

234. At the same meeting, the Congress adopted the draft resolution as orally revised (for the text, see chapter I, resolution 8).

9. Firearms regulation for purposes of crime prevention and public safety

235. At its 17th plenary meeting, the Congress had before it a draft resolution entitled "Firearms regulation for purposes of crime prevention and public safety" (A/CONF.169/L.8/Rev.2).

236. The Secretary of the Congress read out revisions to the draft resolution, as well as the following additional sponsors: Bolivia, Brazil, Colombia, Indonesia, Iran (Islamic Republic of), Malta, Norway, Togo, Turkey and United Kingdom.

237. It was announced that Cameroon, Egypt, France and Uzbekistan had joined as sponsors of the draft resolution.

238. At the same meeting, the Congress adopted the draft resolution as orally revised (for the text, see chapter I, resolution 9).

10. Expression of thanks to the people and Government of Egypt

239. At its 17th plenary meeting, the Congress had before it a draft resolution entitled "Expression of thanks to the people and Government of Egypt" (A/CONF.169/L.29).

240. The representative of Turkey introduced and orally revised the draft resolution.

241. The representative of Japan proposed an oral amendment to the draft resolution.

242. At the same meeting, the Congress adopted the draft resolution as orally amended (for the text, see chapter I, resolution 10).

243. On the proposal of the President, the Congress agreed that no action was required on document A/CONF.169/L.15.

11. Credentials of representatives to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

244. At its 15th plenary meeting, the Congress adopted the draft resolution entitled "Credentials of representatives to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of

Offenders" recommended by the Credentials Committee in paragraph 9 of its report (A/CONF.169/L.28) (for the text, see chapter I, resolution 11).

V. SPECIAL SESSIONS OF THE CONGRESS IN PLENARY MEETINGS

A. Experiences in practical measures aimed at combating corruption involving public officials

245. Pursuant to Economic and Social Council resolution 1993/32, the Ninth Congress held a one-day plenary discussion on experiences in practical measures aimed at combating corruption involving public officials, under item 4 of its agenda and drawing on a background paper prepared by the Secretariat (A/CONF.169/14). The 11th and 13th meetings, held on 4 and 5 May, were devoted to this issue.

246. In his introductory statement, the Executive Secretary of the Congress referred to the work carried out by the United Nations crime prevention and criminal justice programme on the issue, including an interregional seminar on corruption in government at The Hague, held in 1989, a manual on practical measures against corruption, submitted to the Eighth Congress and subsequently published in *International Review of Criminal Policy*,[39] and the formulation of a draft international code of conduct for public officials, in pursuance of resolution 7 of the Eighth Congress, which had been reviewed by the five regional preparatory meetings of the Ninth Congress and by the Commission on Crime Prevention and Criminal Justice at its third session.

247. The plenary discussion was aimed at heightening awareness of the issue and/or related concerns and at providing an opportunity for participants to exchange experiences and views. The presentations of the five panellists and the interventions of participants were expected to assist the international community in identifying appropriate means and strategies to prevent and control corruption. The panel of experts invited to make introductory remarks was composed of H.E. Mr. Nelson Azevedo Jobim, Minister of Justice of Brazil; Mr. Romul Petru Vonica, Senator, Chairman of the Anti-Corruption Commission of the Senate of Romania; Mr. Shinichi Tsuchiya, Director of the Asia Crime Prevention Foundation and former prosecutor in Japan; Professor M. Cherif Bassiouni, President of the International Association of Penal Law and a member of the delegation of Egypt; and Mr. Antonio Di Pietro, former prosecutor in Milan, Italy.

248. Professor M. Cherif Bassiouni underlined that the term "corruption" had a number of meanings and dimensions and that reactions to it, even within a single legal system were, as a consequence, varied. Where corruption had become the rule, instead of the exception, institutions were unable to cope with it. Corruption currently crossed national borders, since it was necessary for its profits to enter financial pipelines in order to re-enter the legitimate economy and be ultimately enjoyed. Those were the same pipelines used by organized crime to launder their proceeds, which eventually returned to their countries of origin, creating a snowball effect since they were then used in other corrupt activities or for the perpetration of other crimes. Existing instruments of cooperation in criminal matters, such as extradition, mutual legal assistance and the freezing and forfeiture of assets, were, however, not sufficient to counter the phenomenon. Accordingly, Professor Bassiouni recommended that a convention against corruption should be elaborated; that the United Nations should coordinate the activities of all international organizations in the field; that the manual on practical measures against corruption should be reviewed, expanded, with contributions from other international organizations, and widely disseminated, together with the code of conduct for public officials; that the Secretariat should provide technical assistance for the prevention and control of corruption; that corruption should be introduced as an offence in the relevant instruments of international cooperation in criminal matters; and that the Commission on Crime Prevention and Criminal Justice should analyse the links between corruption and

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[39] Nos. 41 and 42 (1993).

organized crime and the use by organized crime of the international financial system for money-laundering purposes.

249. Mr. Antonio Di Pietro, in noting that the Italian experience could provide a valuable example for countries already engaged in the fight against corruption or willing to take action to achieve transparency and accountability, stressed that the problem should no longer be approached by making a distinction between developing and developed countries, since that led to faulty perceptions. At the beginning of the twenty-first century, it was necessary to base analyses on the "democracy of responsibility" rather than on the "democracy of affluence". It was necessary to remember that, where there was someone corrupted, there was also a corruptor, and that corruption crossed national borders. Corruption was, in fact, a phenomenon that concerned not only public officials but also the private sector. It was necessary for the legislation of developed countries to foresee stricter measures to regulate corporate behaviour abroad and thus to deny corporations the ability to use concealed resources for the purpose of corrupting foreign public officials. Mr. Di Pietro called attention to off-shore centres used by corporate entities to make illicit payments to foreign public officials and also by organized crime and corrupt officials to launder their proceeds. Codes of conduct voluntarily adopted by corporations were not sufficient to counter corruption properly, and serious measures had to be adopted, such as a multidisciplinary approach in all societies, both developed and developing, including criminal law measures, also education and prevention. It was necessary to convince enterprises to participate in the action against corruption by emphasizing that such action would be profitable for them and would not be motivated by moral reasons only.

250. Mr. Shinichi Tsuchiya gave an account of the action taken in his country against corruption, providing an indication of the manner in which cases involving high-level political figures had been handled by the competent authorities. He underlined the importance of cooperation among States, which would include the use of arrangements for extradition and mutual assistance in criminal matters, the sharing of information and the collection of evidence. Law enforcement personnel needed to have the proper means and would need to receive special training in the field. In particular, a specialized prosecutor's office, whose independence had to be assured, could be very effective. Public officials also had to be well trained. Impartiality, devotion to country and a full understanding and appreciation of the trust the public placed in them had to be instilled in public officials at all levels, as one of the principal measures of prevention and control of corruption.

251. Mr. Romul Petru Vonica also emphasized that corruption occurred not only in the political sphere but, rather, in all sectors of society. It was linked with organized and economic crime and led to other forms of criminality, such as extortion, money-laundering, diversion of public money for private gain, and fraud. The notion of corruption needed to be a comprehensive one, including tax evasion and the infringement of custom duties regulations. All such crimes should be penalized as a manifestation of corruption. A specific anti-corruption strategy had to be adopted at the national level. Bodies entrusted with the responsibility of coordinating measures for preventing, controlling and sanctioning corruption had to be established. At the international level, a similar role should be played by the United Nations, which should coordinate all activities against corruption, since corruption was a phenomenon whose diversity required action at various levels in several sectors.

252. Mr. Nelson Azevedo Jobim said that mechanisms were needed to combat corruption by encouraging transparency. He gave the example in his country of the impeachment of a former President, through the empowerment of Parliament, which had been able to suspend executive authority and investigate presidential activities and finances. The freedom of the press and the independence of the judiciary, including that of the prosecutor's office, were also considered to be prerequisites for anti-corruption efforts. Corruption had a global dimension, and a global approach would be required to counter it, in particular by combating money-laundering. International cooperation was essential in that respect. It should be based on a revised notion of national sovereignty and be supported by courage and a desire for transparency at the national level.

253. At the 12th meeting, statements were made by the representatives of Canada, Chile, Egypt, Israel, Italy, Nepal, Republic of Korea and Uruguay, as well as by the observers for the Commission of the European Communities, an intergovernmental organization, and the United Nations Interregional Crime and Justice Research Institute.

254. At the 13th meeting, statements were made by the representatives of Argentina, China, France, Gambia, Germany, Iran (Islamic Republic of), Israel, Romania, Russian Federation, Spain, United States and Venezuela.

255. All speakers agreed on the seriousness of the problems posed by corruption, which endangered the stability and security of societies, undermined the values of democracy and morality, jeopardized social, economic and political development, and threatened peace. The interdisciplinary approach was felt to be the most effective in dealing with the phenomenon. A number of delegates indicated that their countries had adopted measures in the fields of criminal, civil and administrative law and that the establishment of special departments in government departments and in law enforcement agencies had proven very effective in countering corruption. Criminalization of corruption committed by public officials, government representatives and representatives of the private sector, especially the financial and banking sector, was necessary. To neutralize the profits of corrupt activities, codes of conduct and disciplinary measures should be coupled with criminal sanctions.

256. Among the various practical measures to be adopted at the national level, it was suggested that independent bodies be established to monitor the activities of the various governmental agencies. Those bodies should be given the resources and the autonomy that would allow them to be free from interference and undue influence. They would need to operate in close cooperation with the judiciary and complement it. The judiciary should be in a position to exercise effective control over the executive branch of government. At the administrative level, the prevention and control of corruption required the implementation of measures that would eliminate unnecessary and cumbersome procedures and institute checks and balances at various levels of management and administration. Public officials should be encouraged, both morally and economically, to respect their obligations. As a further measure that would allow overall control of the most sensitive administrative operations, particularly with respect to the fiscal operations of government, budgetary allocations and expenditures should be closely monitored and subjected to professional and independent auditing.

257. A number of delegates also stressed the importance of a two-pronged approach to corruption which would place equal emphasis on prevention and control. It was underlined that, although the prevention of corrupt behaviour entailed difficulties, it was possible to place substantial obstacles in the way of those who were tempted. Eradication of administrative and professional corruption could be achieved only through improvements in administrative and economic performance. It was necessary to modernize administrations and avoid conflicts of interest between the public and private sectors. Like all new forms of criminality, such as organized transnational crime and money-laundering, corruption was carried out through the use of very sophisticated techniques. Equally sophisticated techniques, together with traditional measures, had to be adopted in the investigation and prosecution of corruption cases. Furthermore, the media should be fully informed, and their support should be enlisted, since fear of exposure was an effective deterrent. Vigilant public opinion against corruption should be developed and maintained as an additional and equally important component of any strategy against corruption. The need for education as a preventive measure against corruption was particularly emphasized in that connection. Community awareness to fight corruption was critical, and those responsible for accountability must receive adequate training for transparency in their activities.

258. The problems faced by developing countries and countries in transition, where institutions and legal systems were undergoing drastic changes, were highlighted by some delegates. Urgent and effective measures were needed, also with the assistance of more experienced countries in the field. The representative of the Department for Development Support and Management Services of the United Nations Secretariat underlined

that the effects of corruption in developing countries were even more devastating than in industrialized nations, seriously undermining their economies. The newly emerging concept of good governance was inextricably linked to the prevention and control of corruption. Good governance required public accountability and transparency on the part of government officials and politicians alike. Increased technical skills and institution-building were essential to the creation of an environment free from corruption, and action of a technical nature on the part of international agencies should be designed to improve public management systems, thus contributing to the elimination of corruption.

259. In order effectively to combat corruption - given its multifaceted nature, the various crimes it involved, and its capacity to cross national borders - international cooperation was essential. Several countries had already engaged in and strongly supported multilateral initiatives. The potential of the United Nations in strengthening international cooperation and contributing to the efforts of States in the prevention and control of corruption was highlighted. Support and encouragement were expressed for the relevant efforts carried out by the United Nations, to which the highest priority was attached. The draft manual on practical measures against corruption was considered a commendable initiative which could form the basis for further work, particularly in the context of technical cooperation and the provision of practical assistance to States. The draft code of conduct for public officials, prepared by the Secretariat, would constitute a useful complement of relevant efforts when it had been revised and further considered. In order to facilitate and expedite that process, several delegations indicated their intention to consider the draft carefully and to provide their comments to the Secretariat.

260. Technical assistance in the training of public officials, law enforcement and judicial personnel, and the staff of regulatory agencies, especially addressed to countries less experienced in the fight against corruption, should be strengthened. All efforts taken at the regional and international levels against corruption needed to be pooled; information and data should be shared, and joint strategies elaborated. In particular, it was suggested that national anti-corruption strategies be collected and analysed, in order to elaborate a manual of best practices which would form the basis for training programmes. It was also suggested that the United Nations should designate an international year to the fight against corruption, a scourge that consumes the body and the soul of all peoples of the world.

261. The discussion was closed with concluding comments by the panellists. Professor Bassiouni observed that the term "corruption" was used with imprecision. At the international level, it was not sufficient to have instruments that contained pious words of condemnation, since an absence of specificity weakened efforts to prevent and control corruption. He welcomed the operational activities of the Crime Prevention and Criminal Justice Branch but pointed to its limited resources and called for more funds so that the Branch could help developing countries break the cycle of crime and corruption. Mr. Di Pietro said that judicial authorities could intervene in corruption cases only after the commission of the offence and that the cases coming to the attention of the judiciary were only the tip of an iceberg. Because the relationship between public officials and the administration was fundamentally a fiduciary one, public officials should, throughout their tenure, provide an exact account of their assets and those of their families. He proposed the establishment of national data banks containing the relevant information, thereby putting in place alarms that would allow the State to prevent and control corruption. Mr. Tsuchiya said that measures against corruption should be aimed at increasing transparency and accountability and should include appropriate training, the improvement of working conditions, control systems and the establishment of standards and codes of conduct. Those should be coupled with appropriate sanctions and the requirement for disclosure of assets of high-ranking officials and politicians. There was need for modern investigative techniques to counter corruption, without infringing, however, on the fundamental rights of those accused. Public campaigns were also required to promote good governance. At the international level, there was need for an exchange of information, mutual assistance, the elaboration of international standards and the harmonization of legislation. Mr. Vonica said that corruption had to be fought simultaneously at the national and international levels. Penalties should be strengthened and criminal procedures amended, to take into account modern economic crime. He recommended the establishment of an

international body to combat corruption, an increase in technical cooperation, including training in specialized schools run by the United Nations, and the creation of an international centre for documentation and standard regulations to control international economic crime.

B. Technical cooperation

262. The special session on technical cooperation, held on 5 May during the 14th meeting of the Congress, was introduced by a representative of the Crime Prevention and Criminal Justice Branch who noted the importance of operational activities in providing practical follow-up to the recommendations of the Congress and the Commission. Mr. Pedro David, interregional advisor from 1981 to 1992, provided an overview of his activities during those years in which not only were the advisory services in the area re-established but also a large number of activities were undertaken, such as needs assessment missions, training of justice personnel, law reforms and the implementation of United Nations standards and norms. Mr. Matti Joutsen, interregional advisor in 1994, then recounted his experience highlighting the necessary steps in the formulation, execution, and follow-up of technical assistance projects.

263. One of the two interregional advisors, Mr. Vincent Del Buono, then informed the participants of two recent projects he had conducted: the first on the training of correction personnel in Barbados, and the second, an assessment of the capacity of the law enforcement agencies in Pakistan to deal with organized crime. He also announced that over 120 nominations had been received for the first three fellowships of the crime prevention and criminal justice programme. Mr. Jean-Paul Laborde, the other interregional advisor, reported on the contribution the crime programme was making to the rebuilding of the Haitian criminal justice system. He also reported on a training seminar on juvenile justice for Portuguese-speaking African countries, held in Sao Tomé and Principe in February 1995. He stressed the need for strengthening cooperation among the various United Nations bodies and the national agencies involved in technical assistance projects.

264. During the discussion that followed (with statements made by the representatives of Argentina, Burundi, Canada, Chile, Egypt, Eritrea, Ethiopia, Maldives, Paraguay, Poland, Rwanda, Sao Tome and Principe, Uganda, Ukraine, United Republic of Tanzania, United States, Uzbekistan, Yemen and Zambia), all speakers expressed concern as to the increasing threat posed by crime to society. They recognized that technical cooperation was indispensable to both building and supporting democratic institutions and effective criminal justice systems. They stressed that technical assistance benefited not only developing countries but also the international community at large, since it contributed to creating conditions favourable to peace and stability.

265. However, to be effective, technical cooperation needed to respond promptly to requests of Member States. The representatives of Burundi and Rwanda reminded the participants of the serious situation in their countries, which had led to a breakdown of institutions, including those dealing with criminal justice. Pointing out that a lack of human, financial and material resources completely hampered the administration of justice in both countries, they appealed to the international community to maintain the promises made to provide much needed assistance.

266. Representatives of various countries that, in recent years, had been afflicted by war and civil strife reported on the difficulties they had encountered in rebuilding collapsed institutions. There was need for criminal justice systems to regain citizens' trust after years of dictatorship and abuse. For example, it was pointed out that a well trained and well equipped police was a necessary component of democratic societies.

267. Delegates from countries in transition underlined their need for continuous assistance by the international community to strengthen the criminal justice system *vis-à-vis* the impending threat of organized crime. Since their democratic institutions were still fragile and resources scarce, technical assistance was needed to coordinate the efforts of Member States against all forms of international crime.

268. Many participants outlined a series of basic needs for the criminal justice systems in their countries. In all regions, training courses for law enforcement officials, judges, prosecutors and prison officers were needed. In addition, technical assistance for the improvement of the treatment of offenders and the conditions of detention was also required. Juvenile justice was another area where assistance was sought. Numerous speakers called for assistance to upgrade their criminal justice computer services and establish data banks for prosecutors, police and correctional services. Advisory services for the reform of national legislation and the implementation of international criminal justice norms and standards were also requested. Several delegates called for the support of the international community in the provision of basic equipment for the police, judiciary and correctional services.

269. It was noted that the success of technical cooperation was related to the issue of programme support and ownership. The implementation of a programme was facilitated if those in charge of it were able to participate in the early phases of planning, formulation and design of the programme itself. It was pointed out that technical assistance had to be responsive to the needs and priorities of Member States. Accordingly, its modalities should reflect the level of development, the social and regional characteristics and the resources locally available. Specific reference was made to the possibility of viewing traditional forms of criminal justice as additional tools for implementing international norms and standards in some regions.

270. In view of widespread budgetary and resource constraints, the representatives from donor countries and funding agencies stressed the importance of identifying the technical assistance programmes and mechanisms that would, in the most cost-effective way, maximize the international capacity to fight global crime. The effectiveness of electronic exchange of information was particularly praised. Law enforcement training was another area where bilateral and multilateral assistance was being provided by a number of countries. For example, the recent establishment of an international law enforcement academy in Budapest, Hungary, was the result of joint efforts made by several Member States to assist the emerging democracies in Central Europe and the Commonwealth of Independent States in their fight against the threat of organized crime. Several delegates reported on their national experiences in countering specific forms of organized and common crime and were ready to share their newly acquired knowledge with interested countries. Various delegations reiterated the need for enhanced cooperation and coordination among the various entities involved in technical assistance, particularly the development and funding agencies, with a view to avoiding duplication of work and overlapping projects in some sectors and neglect in other areas.

271. Member States were urged to provide more financial support to the United Nations crime prevention and criminal justice programme so as to ensure that it could play its important role in technical assistance and be less limited by current constraints.

VI. REPORTS OF WORKSHOPS

A. Extradition and international cooperation: exchange of national experience and implementation of relevant principles in national legislation

272. The one-day workshop entitled "Extradition and international cooperation: Exchange of national experiences and implementation of extradition principles in national legislation" was held on 3 May 1995 within the programme of work of Committee II. It was organized by the Government of the United States of America and the United Nations Crime Prevention and Criminal Justice Branch, in cooperation with the International Association of Penal Law. The meeting was opened by the Chairman of Committee II, who underlined the importance of providing participants with the opportunity to share respective national and international experience in the field of extradition in order to strengthen and enhance international cooperation in criminal justice matters. After a brief presentation of the structure of the workshop and its documentation

by one of the organizers, a number of experts from Governments and intergovernmental organizations made presentations on specific topics, with participants making several interventions thereon.

273. Drawing on a background paper (A/CONF.169/8), the workshop examined different approaches to establishing extradition relationships between States, including the experience of States in implementing extradition by means of executive decisions supported by domestic legislation and bilateral, regional and multilateral agreements. Certain States had a tradition of fulfilling their international obligations through national legislation. In such cases, the granting of extradition on the basis of reciprocity between the requesting and requested States, coupled with the application of national norms and procedures, permitted an effective response to extradition requests. That approach had the advantage of being cost-effective and flexible. Where countries shared a strong legal tradition, the expense involved in a series of bilateral treaty negotiations could be avoided by means of intergovernmental agreement on a basic set of principles. Those principles would govern relations between those countries and each country would give effect to them by national legislation.

274. Other countries required a treaty to establish bilateral extradition relationships. Treaty-based relations had the distinct advantage of giving certainty to reciprocal obligations and facilitated the resolution of potential difficulties by the negotiation and establishment of mutually agreed and understood rules and procedures. The negotiation process could be important in assisting in the development of an appreciation of the different legal systems of the treaty partners.

275. The value of regional multilateral treaties was acknowledged. However, unless countries in the region were prepared to accommodate different legal traditions and concerns, relatively high numbers of reservations to the instrument could diminish its practical effectiveness. Furthermore, as countries formed economic alliances and lowered barriers to the free flow of goods and people, mechanisms permitting immediate responses to the flight of fugitives were needed to bridge the delay between the commission of the offence and the issue of a request for provisional arrest.

276. Although multilateral conventions had the potential for universal adherence, the amount of detail permitted was limited by the need to meet the requirements of the larger number of States parties. The capacity of States to use multilateral instruments containing extradition obligations to modernize and enhance their existing bilateral and regional arrangements was noted.[40]

277. When national boundaries were redefined, the value of successor States' accepting the obligations of the predecessor State under relevant treaties was mentioned. Pending the capacity of the new State to enter into its own extradition relations, succession to an existing instrument facilitated continuity in international relations.

278. The workshop examined problems related to the so-called "fundamental extradition principles" which affected the preparation of extradition requests. The issue of dual criminality could be complex if a requested State had a federal system and there was a series of interlocking laws at the federal and State levels, or if national concepts of a given offence — for example, in cases involving conspiracy — varied significantly. Differing national approaches to claims of extraterritoriality could also lead to difficulties. Dual criminality could be difficult to establish in cases where States had not updated their legislation to address newer forms of crime, such as offences against securities markets, intellectual property law and competition law. Alternative approaches to establishing dual criminality were noted, such as the traditional "list" approach or the more recent practice of referring to a minimum penalty.

279. The continued relevance of the political offence exception was questioned in light of the trend in certain multilateral instruments not to treat violent crimes as political offences for the purpose of extradition. It was

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[40] See E/CONF.82/15 and Corr.2.

suggested that the development of the humanitarian safeguard in extradition relations was capable of protecting the interest of the requested State in ensuring that a surrendered fugitive was fairly and humanely dealt with in the requesting State.

280. The changing attitude of nations towards facilitating extradition in cases involving financial crimes was noted. In the economic, taxation and customs areas, the traditional rule of non-assistance in enforcing the fiscal laws of another country had been seriously eroded by, for example, the use and recognition of the common fraudulent element present in such cases and, therefore, the availability of alternative charges.

281. Greater flexibility could be adopted in interpreting the principles governing extradition in order to avoid undue impediments. For example, the death penalty could present practical problems if it was prohibited in the requested State. However, that difficulty could be solved, for example, if the requesting State provided an assurance that the penalty would not be applied if extradition was granted or, alternatively, if a conditional surrender of the fugitive was made subject to an agreement by the requesting State that it would return the fugitive for the execution of the sentence. The importance of human rights should be recalled, and extradition should not result in contravention of the fugitive's human rights, as, for example, through torture. It was observed that it would be beneficial to study further the relationship between extradition, political asylum and applications for residence, in practice. Proposals should also be considered for control of the proceeds of crime in the case of fugitives, to avoid unjust enrichment through flight to another jurisdiction. States should select the most appropriate method of international cooperation to suit the case at hand — for example, extradition, the transfer of proceedings, the transfer of prisoners, or the trial of the fugitive in the requested State.

282. A number of States shared their national experiences concerning extradition. Certain extradition relations either drew on aspects of, or were consistent with, the United Nations Model Treaty on Extradition, adopted by the General Assembly in its resolution 45/116 of 14 December 1990. Extradition was noted as being particularly useful for the most serious offences, since the perpetrators tended to flee the country. Some of the gravest offences, such as war crimes and crimes against humanity, were mentioned in this context.

283. When there were marked differences between the legal systems of the requesting and requested States, it was suggested that every effort should be made to find workable solutions and innovative approaches to bridging the gaps between systems. In certain cases, it was possible to reach compromise solutions and still retain intact the most important principles. For example, accommodations could be made between civil-law and common-law States concerning evidentiary requirements. Some participants felt that model mechanisms for the implementation of extradition treaties would be useful, in order to avoid unintentional incompatibilities between different legal systems.

284. A number of causes for possible delay and misunderstandings between States were listed. They included incomplete requests, too many authorities involved in the procedures, lack of knowledge, inadequate resources, and expiry of national time-limits. A number of problems could also occur during transit — for example, failure to meet the formalities of the transit State. In order to overcome some of the delays in executing extradition, it was suggested that more effective and speedy mechanisms should be established for the transmission of information between States relating to offences and fugitives.

285. When considering problems in the execution of extradition requests, constant efforts would be needed to balance the preservation of the rule of law, including due respect for human rights, with the need for efficiency of the criminal justice system. That search for balance should take into account the removal of the unnecessary formalities and technicalities often associated with extradition, in order better to protect matters of substance.

286. The workshop closed with a discussion of likely follow-up. The International Association of Penal Law offered to act as host to an intergovernmental expert meeting in Siracusa, Italy, under the auspices of the

United Nations Crime Prevention and Criminal Justice Branch, to examine practical recommendations for the further development and promotion of mechanisms of international cooperation. The delegation of Finland reminded participants that Finland had introduced a draft resolution under item 3 of the agenda, entitled "International cooperation and practical technical assistance for strengthening the rule of law: development of United Nations model agreements" (A/CONF.169/L.6). It was thought that the generous offer of the International Association of Penal Law would provide a means to implement the draft resolution, in the event of its adoption. The United Nations Secretariat also reminded participants that it stood ready to facilitate technical cooperation activities in the area of extradition, including training of public officials.

B. Mass media and crime prevention

287. The Chairman of Committee II opened the workshop. After an introductory statement, he gave the floor to Mr. Peter Kent, the workshop moderator, who explained that the workshop was structured with the intent of initiating a dialogue among those who covered crime, those who used forms of the mass media to help prevent crime, and those who were involved in the criminal justice system. It was also designed to bring to light initiatives in the development and utilization of successful mass media crime prevention programmes.

288. In his keynote address, Mr. Allan Rock, Minister of Justice and Attorney General of Canada pointed out that crime prevention was not something for Governments to think about in isolation. They had to include the members of the communities they served. That was why the workshop was so important: it was a meeting of two worlds — government and the media. The media could not be blamed for crime, neither are they fully responsible for the public misperceptions of crime. "Attacking the messenger simply won't do, and politicians and Governments have to accept responsibility for their role in creating an unhealthy atmosphere." However, he added that it was important to remember the power and influence that the media had, and their enormous potential as a positive force in crime prevention for increasing public awareness of the facts. "The media are, in a real sense, on the front line in determining what the true facts are and in bringing them home to all of us."

3. Justice Ramon Mabutas, journalist and judge on the Philippine Court of Appeals, spoke to the central issues of the background paper (A/CONF.169/9) and made several recommendations, among them:

(a) That the United Nations reassert the immense importance of a free press as part of the democratic process, in particular, in protecting those who sought to advance it in emerging democracies;

(b) That the press should be a "pillar" in a cooperative and collaborative criminal justice system;

(c) That an international centre, or tribunal, on criminal justice should be established as a repository of information on crime prevention trends, in order to facilitate the exchange of data between nations on criminal justice systems in dealing with the problem of international criminals.

During the course of the discussion several speakers supported and elaborated on Justice Mabutas's comments on the seriousness of the problem of economically and politically powerful international criminals who "sneer at the criminal justice system(s) of the countries where they are charged or convicted".

289. Section two of the programme demonstrated how serious crime issues were being addressed by the media. An international panel of practising journalists on the front lines of crime coverage told their own stories on the complex and universal problems of political corruption, computer crime, the destabilization of societies caused by organized crime, violence against women, and drug-related crime. Participants were asked to recognize degradation of the environment as a criminal as well as moral offence. A dialogue with the floor brought out differences in attitude to the issue of freedom of information, particularly with new technologies such as Internet.

290. Section three started with a question, "Media as educator?" Ms. Suzanne Stutman, Executive Director of the Institute for Mental Health Initiatives in Washington, D.C., answered the question by highlighting both the media's complicity in crime and its potential for positive change. She pointed out that over the course of three decades, it had been found that higher levels of violence viewed on television correlated with increased acceptance of aggressive attitudes and an increase in aggressive behaviour. She reviewed the attempts to legislate against television violence in different countries and indicated how the media could "portray ways of coping with and managing human conflict without resorting to mass violence", particularly by deglamorizing violence.

291. The workshop then viewed actual examples from around the world of how the mass media could be used effectively to convey a message on crime prevention. For example, Mr. Mandla McHunu, of the South African "Street Law" legal education programme, stressed the success the programme had had in changing young people's attitudes towards the law and law enforcement. Mr. Jay Winston of Harvard University spoke on video about the "Squash It" programme, a method of non-violent conflict resolution with the message that there was an alternative to violence, that one could walk away from a fight: one could "squash it". The method had been dramatized on prime time television entertainment programming. Mr. René Caron, from Canada, described the TROP programme (in English, PEACE: Positive Education Alternatives for Children Everywhere), a mechanism whereby children and adults could vote on the most toxic (i.e. containing sexism, racism, violence etc.) and the most peaceful programmes on television. The results of the vote had actually resulted in the elimination of certain programming from television schedules in Canada.

292. In section four, speakers pointed out that the future of the mass media might not be in the current forms of television, radio and newspapers but in the emerging technologies like Internet which would shape the information highway. The section looked at the vast impact that the new technologies would have on the dissemination of information and fundamental issues such as cultural integrity and associated issues such as freedom of expression. Professor Graham Newman, one of the creators of the United Nations Crime and Justice Information Network, on Internet, described the future of information exchange. His vision of the unfettered electronic highway was not an appealing one to everyone. Dr. Kamal Abu Al Magd, a professor of law at Cairo University and a former Minister of Information for the Government of Egypt, warned of the negative impacts of the new technologies on non-western cultures.

293. The last section of the workshop discussed the question "Where do we go from here?" Mr. Duncan Chappell, from UNICRI, stressed the need for a free press and suggested a number of principles "basic to an unfettered flow of news and information, both within and across national borders". Dr. George Gerbner, Dean Emeritus of Communications, University of Pennsylvania, finished the day with a call to action. He saw the need for a broad coalition of citizens groups from around the world to tackle what he described as the tyranny of multinational media conglomerates which dictated what people everywhere viewed. He envisioned a world where children could grow up with their own stories from their own culture, without being drenched in a culture of media violence.

294. Among the recommendations made at the workshop were that:

295. Governments should:

(a) Recognize that access to information was a key factor in permitting the media to play an alternative role in crime prevention, agree to make provision for freedom of information in legislation, and ensure that there were objective review procedures to assess claims for access to sensitive materials;

(b) Increase the number of educational programmes that promoted media literacy and informed choice and decision-making about media issues;

(c) Encourage the media to report on all types of crime and methods of crime prevention, but, at the same time, recognize that emphasis on the reporting of violent crime might distort efforts at prevention and create unrealistic fears and anxieties about the risks of being victimized;

(d) Make provisions for the public media to be sensitized to the impact their reporting had on crime and on target audiences;

(e) Establish national recognition awards for responsible efforts at crime prevention by the media.

296. The mass media should:

(a) Agree to do more to balance their reporting of crime and pay more attention to regional, cultural and other variables that affect attitudes to crime prevention and control;

(b) Encourage more specialized and expert reporting of criminal events, with a rounded appraisal of the measures to be taken to prevent non-violent as well as violent crime;

(c) Strive to form a network by which they can share their findings and discuss issues and solutions;

(d) Direct their research on the media's role in crime prevention, as a matter of priority, to less developed nations and less sophisticated communication technologies.

297. The United Nations should:

(a) Reassert the enormous importance of a free press as part of the democratic process, urge Member States to do more to make the right to a free press a reality, and, in particular, protect those who seek to advance that right in emerging democracies;

(b) Generate resources to coordinate the development of tools to assist Member States in their use of the mass media in crime prevention efforts. Possible examples of such tools were technical manuals, resource manuals of successful practices, rosters of experts and the use of such experts in hands-on workshops;

(c) Develop multidisciplinary training resources, including programmes in media literacy and modules on the mass media and crime prevention, and add them to the curricula of universities and professional training institutions - schools of journalism, police colleges, schools of criminology, faculties of education etc.;

(d) Agree, *inter alia*, to commit resources for counteracting the negative effects of the mass media on children, sensitizing and protecting the next generation by working with the media to ensure that the power it had to influence children was used in positive ways;

(e) Call upon Member States to create an education campaign to ensure that crimes against the environment were recognized in the mass media as criminal as well as moral offences;

(f) Urge Member States to help the media encourage the development of appropriate measures and mechanisms contributing to the eradication of violence against women and enhancing respect for their dignity by discouraging the perpetuation of pro-violence values and the stereotyping of women.

C. Urban policy and crime prevention

298. Opening the meeting, Mr. Swenson (Sweden), Vice-Chairman of Committee 2, expressed his high appreciation to the members of the Group of Mediterranean States who had prepared and organized the

workshop on Urban Policies and Crime Prevention, and also to the International Centre for the Prevention of Crime at Montreal and the Government of Canada for their contribution. The general subject was then presented by Mr. Swenson and Ms. Lazoughli (Tunisia), moderator of the workshop, who stressed the two main purposes of the meeting: to identify the most effective means of preventing urban crime, and to promote technical cooperation on that basis.

299. The first subject of the workshop, urban policies and coordination mechanisms, was introduced by Mr. Francis Idrac (France), interministerial representative for urban affairs and urban social development.

300. The expansion of urban segregation increased the risk of crime and led to a heightened feeling of insecurity. Indissoluble links had been established between urban policies and crime prevention. Accordingly, only a global and partnership-based approach could make it possible to embrace all the causes of crime, with the participation of all the agents concerned. In France, the establishment of a ministry responsible for urban affairs and a national cities council had represented a response to that concept. Partnership was developing particularly strongly in the communal and departmental crime prevention councils, which brought together representatives of the State, the judicial authorities, the local authorities and social agents. Local projects emanating from those councils enjoyed State support, within the context of national priorities, namely assistance afforded to adults in shouldering their educational responsibilities, prevention of drug addiction, combating of recidivism, assistance to victims and modernization of public services.

301. The workshop should likewise be the place to recall the importance to be accorded to the implementation of Economic and Social Council resolution 1994/20 relating to guidelines for the prevention of urban crime.

302. Belgium had also developed partnership by security contracts between the federal government and local groupings, as described during the workshop by Mr. Van Limbergen, permanent secretary for prevention policies. Such contracts had, *inter alia*, led to the availability of police forces for more effective use in towns, in direct contact with the public and other quarters concerned with crime prevention.

303. The absolute necessity for partnership-based and territorial approaches had been recalled on a number of occasions. That method had emerged primarily as a response to the inadequacies of traditional criminal justice, as recalled by Mr. Bonnemaison, President of the Forum for Urban Security in Europe and promoter of the SECURITES project which, associating 50 cities in Europe, was endeavouring to impart to municipalities an active role in crime reduction and to enhance the development of genuine technical cooperation among them. That was also the significance of the association of seven cities in Texas, as described by Mr. Modglin, representative of the National Council for Crime Prevention, whose philosophy was not just to stop crime but to restore vitality to the community and significantly reduce the feeling of insecurity in cities.

304. Faced with the rise in urban crime, particularly among young people, the union of active forces in cities and the search for common approaches were making it possible to improve conditions of life and avoid marginalization. In Finland, the *Shadow Side Project* organized by the city of Hanko, as described by Mr. Sannholm, had given priority to the implementation of targeted projects prepared by a pluridisciplinary working group maintaining constant contact with agents on the ground. Young people were likewise the priority concern of the Canadian National Council for the Prevention of Crime as described by Ms. Vallée, who was its Vice-Chairman. She emphasized the importance of early child development and emphasized the need to be concerned about not only the child and its family but also the social and educational environment. She said that these activities should be part of a broader programme which highlights prevention by social development, the mobilization of members of communities, situation-related strategies and the effectiveness of criminal justice systems.

305. The private sector must not be neglected in such partnership approaches. According to Mr. Whiskin, of *Crime Concern* (United Kingdom), many firms attached great significance to preventive measures which were

at the same time a means of protection against criminal acts harming both the profits of the undertaking and its smooth operation. Some industrialists might likewise participate directly in prevention activities, as explained by Mr. Chisholm (United Kingdom). In countering vehicle thefts, for example, the car industries and specialized safety firms were endeavouring jointly to reduce the risks of theft.

306. The enhancement of public awareness and public participation in local initiatives were likewise vital. The United Kingdom favoured the use of voluntary police officers, who devoted part of their free time to preventive activities, the advantages of which were highlighted in television publicity programmes. In the Netherlands, as explained by Mr. Van Dijk, director of crime prevention at the Ministry of Justice, prominence was also accorded to the integration of the community into preventive actions, including the use of city wardens.

307. The position of the individual remained a key factor in crime prevention; hence, the essential heightening of the civic sense of the public was referred to on a number of occasions. Similarly, Ms. Hemmo (Israel), director of the Health Education—Medical Orientation Institute, dealing in primary crime-prevention educational programmes, stressed the need to take account of the human factor, particularly among the youngest people, who thanks to primary prevention were developing their personal abilities to face life's difficulties.

308. By way of conclusion on the first item, several participants in the workshop wondered about the effectiveness of such global and partnership-oriented policies. Recommending caution, several speakers stressed the encouraging nature of certain recent figures, but beyond the mere statistical criterion the feeling of insecurity should likewise be more thoroughly evaluated.

309. The second part of the workshop, devoted to close-proximity services and innovative approaches, was introduced by Mr. Farrugia (Malta; Ministry of the Interior).

310. The search for closer proximity on the part of crime prevention services took up the first part of the discussions.

311. The need to bring the police closer to the public had induced the Maltese Government to develop the system of neighbourhood watch, which encouraged the community to take part in public security operations. Started in 1992, that programme had now become a national priority, supported by the State and local groupings with the assistance of the media and of the associative sector. The public, closely cooperating in these activities, likewise took part in the evaluation of their results.

312. The Japanese *Kobans*, as described by Mr. Onuki, director-general of international affairs of the national police agency, were making it possible, thanks to a system of generalized community policing, for the police forces to be present throughout the country and thus to be easily accessible. Owing to this ancient institution, which remained extremely popular, the police were an integral part of the community; they frequently settled disputes arising in daily life, and rendered a host of other services. Thus, after the Kobe earthquake it was the "mobile" *Kobans* which had been able to come to the assistance of the victims on the spot while preventing the possibility of looting.

313. The judicial machine was also attempting to get nearer to the public. In France, the "justice and law centres", as described by Ms. Toulemonde, head of the bureau for the protection of victims and crime prevention at the Ministry of Justice, were responsible, in difficult districts, for re-establishing and promoting access to legal redress and contributing to handling petty and moderately serious crime. The centres thus helped to offset the isolation, inefficiency and slowness often laid at the door of the judicial machinery. The justice and law centres, thanks to their operation on a partnership basis, made it possible to institute a genuine dialogue between the judicial machinery and its local partners.

314. It was also appropriate to take action so that persons released from prison could have a real chance of rehabilitation, thus leading to the prevention of recidivism. Mr. Hoffman (Israel), director-general of the Israel Authority for the Rehabilitation of Released Prisoners, stressed in this connection the need to reintegrate ex-prisoners into the community, preventing them from again encountering, upon their release, the conditions of life that had frequently led to their imprisonment. It was in the light of those considerations that Israel was experimenting with the accommodation of a number of ex-prisoners in housing which they would share with student volunteers.

315. Naturally, the real impact on the community of such close-approach services should be assessed with care. Ms. Leones (Philippines) stated that a very full survey had been carried out on the question of feelings of security, in the context of crime prevention policy in large cities. In addition to identifying the needs of the community, such surveys promoted public awareness and a public spirit of commitment.

316. Faced with highly varied forms of urban crime, many countries favoured the introduction of innovative approaches on the part of the judicial machinery and of institutions cooperating therewith.

317. Ms. de Oliveira (Portugal) described the operation of the commissions for the protection of minors, which were local, non-judicial and pluridisciplinary institutions endeavouring to assist minors who were neglected, maltreated or in serious danger of subsiding into crime. Very many educational measures could be taken by those commissions, with the exception of actual institutionalization. The commissions worked through various agencies, stressing respect for parental authority and seeking the goodwill of the minors themselves.

318. Mr. Fellous, of the Tunisian Ministry of the Interior, explained the role of the district committees comprising volunteers wishing to contribute to public security. Enjoying government support, these community associations strengthened social cohesion and developed sentiments of good citizenship. Greater solidarity was the result, particularly as regards young persons spending time in idleness.

319. Speaking on behalf of France, Ms. Toulemonde (Ministry of Justice) explained the institution of "penal mediation" as an alternative to prosecution, which made it possible to seek a negotiated solution between offender and victim, with the help of a third party appointed by the judicial authorities. The results of an international questionnaire on penal mediation had been submitted: precise data on the form of such mediation, its area of competence, its links with the judicial apparatus proper, the recruitment and training of mediators, together with the cost of the action and its mandatory force had also been collected in a number of countries.

320. On the subject of minors, France was in favour of assistance and redress, as explained by Mr. Legeron, departmental director of the judicial protection of youth. When ordered by a competent judicial official and carried out by educational staff, the measure in question encouraged the minor to make amends for the consequences of his act, either directly to the victim or indirectly in the form of community service. The educational aspect was essential in such cases: the young person concerned was in fact called upon to undertake his own rehabilitation.

321. Community mediation machinery was also known in China, making it possible to settle civil disputes arising in daily life, including family differences, commercial disputes, quarrels with neighbours and so on. Mr. Guo, a member of the crime prevention and penal reform institute at the Ministry of Justice, considered that the availability of this method of settling disputes between citizens obviated the aggravation of certain forms of trouble and thus contributed to crime prevention.

322. The workshop completed its activities by the presentation of a number of cooperation proposals. Among the States represented on the workshop, France and Portugal proposed actions in concert. The French Ministry of Justice thus referred to the possibility of receiving at Pau and Colmar persons from States interested in penal mediation and measures of assistance and redress in respect of delinquent minors. Portugal stated that it was

at the disposal of the other delegations for hosting participants in courses at institutions concerned with the protection of minors.

323. Regarding international organizations, the United Nations Crime Prevention and Criminal Justice Branch stressed the need for the practical implementation of cooperative projects emanating from the exchange of experience which the workshop had promoted. United Nations interregional advisers were responsible for affording technical assistance to countries requesting it.

324. The European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), described its updated research on urban crime prevention strategies in Europe and North America, stressing the need for a scientific evaluation of the policies implemented. A recent publication reviewed and analysed some 50 projects in that field.

325. The Russian Federation set forth the broad lines of the cooperation project conducted jointly by the United Nations Interregional Crime and Justice Research Institute (UNICRI) and the Ministry of Internal Affairs of the Russian Federation, which had led to the application of an innovative prevention policy in a city suffering gravely from the increase in crime. That model programme could serve as an example for other actions of the same kind throughout the world.

326. Mr. Vanderschuren, of the United Nations Centre for Human Settlements (UNCHS), described a number of operations conducted jointly with developing countries or countries in transition, in the context of the Habitat programme, intended in particular to combat all factors associated with crime and to facilitate access to justice. The need to adapt cooperation projects to the real situation in the requesting countries had been stressed on that occasion. He invited participants to take part in the preparation of the United Nations Conference on Human Settlements (Habitat II), which would be held at Istanbul in June 1996.

327. The International Centre for the Prevention of Crime (ICPC) had submitted its plan of action based *inter alia* on a review and implementation of the best practices in the field of urban crime prevention. The ICPC invited Governments and international agencies to collaborate in that programme whose aim was to promote preventive action in cities, encourage preventive procedures by the police, break the cycle of violence and contribute to the preparation of the Habitat II Conference by organizing an international conference on crime prevention agents at Vancouver, Canada, in March 1996.

D. Prevention of violent crime

328. The Chairman of Committee II opened the meeting and thanked the Group of Mediterranean States and the International Centre for the Prevention of Crime for their contribution to the workshop. He then asked States to increase cooperation in the effort to prevent violent crime. Mr. Régis De Gouttes, workshop moderator, summarized the objectives of the workshop, encapsulated in seven topics.

1. Violence and the family

329. The representative of Greece presented a report on the Centre for Studies on Abandoned and Neglected Children. He referred to the establishment and development of a national network for protection.

330. The representative of Israel used a video to support her description of a multidisciplinary model on the prevention and decrease of violence against women in Israel, involving various sectors of society (legislative branch, law enforcement, social welfare agencies and voluntary organizations). A number of initiatives had been carried out: special telephone lines for battered women, information available in schools, in the army and in various other forums, reception centres for women and their children, independent residences for women

and legal assistance and particularly treatment of offenders. The project in the town of Beer Sheba was cited as an example in which a conditional treatment schedule was used.

331. The representative of Canada examined the question of family violence and gave examples of activities which had been undertaken in Canada in collaboration with other partners. She also mentioned the existence of a national information centre on family violence.

332. In the United States, domestic violence was a serious crime for which the public prosecutor's office had specialized units. The United Kingdom Government had taken a number of steps to assist victims: dissemination of practical guides, initiatives to restore victims' confidence, awareness-training for the police forces, provision of safe accommodation and legal, medical and social assistance.

333. The observer for UNICRI introduced the extensive bibliographical collection established by the Institute on this subject.

334. The representative of the Arab Republic of Egypt pointed out that violence was also committed by women against men.

2. Violence and the school

335. The representative of France used a video to describe the joint activities carried out in his country by the Ministries of Internal Affairs, Justice and Education against violence in schools in the Department of Seine Saint Denis.

336. The representative of the United Arab Emirates described the working of the Young People's Special Committee, combining the efforts of the Ministries of Youth and Sport, Internal Affairs and Social Affairs, as well as the media. The basic aim was to make young people aware of the fight against crime and to involve them in it.

337. An individual expert from Canada spoke about a resource kit on literacy and crime prevention, which can be used to encourage the creation of partnerships between crime prevention and literacy organizations in order that they can use literacy as a catalyst for social and economic development.

3. Violence and sporting events

338. In the opinion of the representative of Spain, violence of this kind was linked to the routine lifestyles predominant in our societies, with the stadium becoming the place to express emotions otherwise left unexpressed.

339. With regard to prevention initiatives, France presented a videotaped document designed to make young people aware of the need to respect the rules in sports. The document, produced jointly by physical education teachers, police officers and football professionals, was circulated in schools. It stressed how young people should internalize key notions, such as respect for others, cohesiveness and aesthetics in sport.

340. In Chile, a 1994 law imposed new security measures in areas used for sport, in particular a restriction on the sale of alcoholic beverages. The law also imposed obligations on the administrators of sporting teams and laid down certain specific offences (possession of firearms and the infliction of bodily harm). The representatives of Uruguay and Italy spoke of legislative initiatives in this respect. In Italy, the Ministry of Internal Affairs had also set up an observatory for violence at sporting events.

4. Violent crime and terrorism

341. The representatives of Chile, Egypt, Israel and Tunisia stressed the importance of international cooperation to combat terrorist violence.

342. The ratification of the relevant international conventions was a prerequisite of such cooperation, which should be accompanied by specific national measures (firearm control, control of cross-border arms movements and witness protection). Egypt proposed the strengthening of international cooperation by the establishment of a data bank on existing terrorist groups and their funding sources. The Tunisian representative emphasized that political asylum should not be granted to terrorists; that efforts should be made to facilitate their extradition; and that while those who repent should be given the opportunity of acquittal, terrorist detainees should be isolated from other people in prison.

343. None the less, the prevention of these activities depended on making the people among whom terrorists find refuge aware of the situation, through educational programmes to promote acceptance of universal human rights values and to strengthen cultural values.

344. A video document, prepared and presented by the delegation of Israel, illustrated the national control strategy in that country, based on the rapid deployment of forces, the mobilization of voluntary proactive and reactive teams, enhanced security measures at strategic locations and buildings, special laboratory analysis and investigation units and coordination between the competent judicial and police authorities, nationally and internationally.

5. Violence and pathology

345. The representative of Portugal referred to drug addiction as a fact of criminal behaviour. She described a support plan for drug addicts and a residential treatment unit set up in the prison service. These initiatives took particular account of the professional, social and emotional aspects of the problem. The aim was to take advantage of imprisonment to help the addict to be responsible for his or her own care and thus to cut down the number of repeat offences. It was particularly important, in her view, to coordinate the efforts of the health and justice services in this field.

346. The Friends World Committee for Consultation (Quakers) presented their programme of alternatives to violence and that was also designed to reduce drug consumption. The programme, which had been carried out in several countries, was free of charge for the persons involved. It was conducted in prisons and designed to involve both prisoners who wished to participate and prison staff.

6. Firearm control

347. The representative of Japan presented a legislative plan to control firearms, prohibiting the use, possession and import of firearms. He stressed an increase in the number of firearm consignment seizures. Awareness campaigns had also been conducted. He concluded by mentioning the forthcoming organization of a seminar on firearm control, to which several Asian countries had been invited.

348. The representative of the Russian Federation referred to the strengthening of legislative provisions in his country, as well as the necessary development of international cooperation to control this scourge. He mentioned that the authorities in his country were making an inventory of firearms.

349. The representative of Canada mentioned new legislative provisions that had been introduced in his country: computerized registration of all firearms; strengthened offence and penalty provisions; new licensing control on firearms possession and use; and bans on handguns and military-type assault weapons.

350. The representative of the Netherlands referred to the establishment of a programme to combat armed aggression against shopkeepers, bringing together the public authorities, industrialists and shopkeepers.

351. The representative of Malawi stressed the importance of regional cooperation to control firearm traffic, while the representative of Kuwait described the programme to call in the numerous weapons currently circulating in the country.

7. Examples of technical cooperation

352. The International Centre for Criminal Law Reform and Criminal Justice Policy, in Vancouver (Canada), presented its programme of consultative services for domestic violence and emphasized the need to develop training activities, above all for staff of the judicial branch, in dealing with this problem. The centre was prepared to provide appropriate assistance to any country or organization that might request it.

353. The International Centre for the Prevention of Crime was also endeavouring to check the cycle of violence by promoting prevention initiatives.

354. In the United Nations, the Crime Prevention and Criminal Justice Branch could undertake prevention initiatives in conjunction with other intergovernmental agencies, such as UNESCO, UNICEF and UNDCP. Training seminars on the various topics covered could be organized at the request of Member States. Furthermore, Member States approach the United Nations interregional advisers for crime prevention and criminal justice.

E. Environmental protection at the national and international levels: potentials and limits of criminal justice

355. The two-day workshop on the topic "Environmental protection at the national and international levels: potentials and limits of criminal justice" was held on 4 and 5 May 1995 within the programme of work of Committee I. The Workshop had before it a background paper (A/CONF.169/12), the report of the Ad Hoc Meeting on More Effective Forms of International Cooperation against Transnational Crime, including Environmental Crime (E/CN.15/1994/4/Add.2), held at Vienna from 7 to 10 December 1993 and the report of the International Meeting of Experts on the Use of Criminal Sanctions in the Protection of the Environment; Internationally, Domestically and Regionally (E/CN.15/1994/CRP.4), held at Portland, Oregon, United States of America. In addition, the United Nations Interregional Crime and Justice Research Institute (UNICRI), which organized the Workshop, prepared a background report based on the results of an empirical study covering 11 developing and developed countries. The Chairman of Committee I, when opening the meeting, stressed the need to develop comprehensive and integrated measures at the national, regional and international levels in order to achieve positive results in the area of environmental protection.

356. The workshop dealt with four main issues: (a) responses to three categories of polluting behaviour (transboundary pollution; pollution originating from large enterprises; and small business or individual polluters); (b) potentials and limits of criminal justice in environmental protection, in particular regarding criminal responsibility of corporations; (c) crimes against the environment and sustainable development; and (d) international cooperation, including suggestions for technical cooperation through advisory services and awareness, research and training projects. A number of experts from Governments, intergovernmental organizations and non-governmental organizations made presentations on specific topics, with participants making interventions thereon.

357. Both the benefits and potential problems that might result from the use of criminal law to control crimes against the environment were discussed. Various possibilities for strengthening the use of criminal law in environmental protection were suggested in the context of the social, cultural and economic conditions of

specific countries. Several countries reported on approaches that they had found effective in the protection of the environment.

358. The environment should be regarded as a fundamental value *per se* to be safeguarded, and it was recognized that the current generation was the custodian of it for future generations. A crime against the environment should be viewed as a crime against the security of the community. Significant progress had been made towards developing definitions of core environmental offences, especially through the work of international bodies such as the United Nations, the International Law Commission, the Council of Europe, the International Association of Penal Law and others. Their proposals ranged from elaborating a detailed list of crimes to making recommendations on the inclusion of core crimes in domestic penal codes. It was suggested that Member States should consider supporting the work of international bodies in the development of an international convention on the protection of the environment, including criminal law penalties for flagrant breaches of its provisions, as well as arbitration provisions to deal with environmental damage at the global level, whether actual or likely. The possibility of establishing a world environmental protection agency under the auspices of the United Nations was suggested. However it was noted that for international law to be effective it had to be implemented at the national level.

359. Environmental protection was economically important, not only as regards sustainable development in general but also in many countries for eco-tourism, which generated foreign exchange. Crimes against the cultural heritage, for example, theft, smuggling or destruction of cultural treasures, should be seen in the wider context of environmental offences. Other forms of serious ecological offences included the illegal disposal of and trafficking in hazardous waste and the illegal trade in wild and endangered species. In some cases, those offences were committed by organized criminal groups. Technological developments were leading to new forms of environmental crime that should be carefully monitored, for example, the implantation of genetically engineered organisms into the environment without the permission of the proper authorities. The severe environmental damage suffered by some countries during armed conflict should not be disregarded.

360. Environmental legislation had been expanded in many countries in recent years to deal with the increasing threats to the environment. Several international conventions had also been adopted. Countries should develop comprehensive legislative packages, bearing in mind the need for protection to be coordinated at the regional, national and international levels. It was also highly desirable to achieve a degree of harmony of national laws so as to facilitate enforcement by way of, for example, mutual assistance in criminal matters and extradition. Since countries could be affected by unlawful acts outside the State, conventions and cooperative mechanisms were strongly encouraged. Furthermore, fresh approaches to legislation were needed, since traditional applications of criminal law were often too restrictive to remedy environmental offences. New forms of offences tended to be much more complex than the more conventional crimes of one individual against another. For example, it would be difficult to meet the evidentiary requirements of criminal law in cases where the effects of pollution were widely diffused and there was no specific victim.

361. The role of corporations in causing environmental degradation posed special problems in many jurisdictions. An expert panel discussed the topic "Environmental protection through criminal law: limits of individual responsibility — potentials of collective liability?". The panel described the legal position and current developments in the area of criminal liability of private and public entities in their countries. While there is considerable divergence among them, common law countries have, generally speaking, taken a pragmatic attitude towards the classical principle *societas delinquere non potest*. Some countries such as Australia and Canada have moved even further than others, recognizing primary criminal liability of organizations. However, countries belonging to the civil law system generally continue to adhere to the classical principle. Even among them, some countries such as the Netherlands and, most recently, France have modified their laws in this regard. In a few others such as Japan and Germany and even Italy, which has constitutional obstacles, juridical trends point in that direction.

362. Many participants strongly advocated that civil law countries should move towards criminal liability, at least for private entities. Some drew attention to the provisions in the draft Convention of the Council of Europe, the resolution of the XV Congress of the International Association of Penal Law and Economic and Social Council resolution 1994/15.

363. It was the general view of participants that the principle of personal guilt made criminal law an inefficient and ineffective tool in combating serious environmental crimes, as the vast proportion of environmental degradation was attributable to private and public entities. Where the classical principle clashed with society's right of protection, it was urged that the latter should prevail.

364. It was noted that further information was urgently needed on the practical results of the use of criminal law to protect the environment through an evaluation of the measures that have already been taken. In order to build on existing information resources it was considered that experiences and approaches to the enforcement of environmental protection through the criminal law should be shared between countries and other relevant entities and that further comparative research should be carried out.

365. At the enforcement level, it was suggested that special police and prosecution units should be established for this purpose. The importance of providing adequate training, manuals and guidebooks for special units was emphasized, and it was recognized that training was an area where technical cooperation should play a major role. Such trained units could in turn help to raise the skills of the general police through further training. Enforcement activities could include action under occupational and public health and safety legislation.

366. Several innovative approaches were suggested for protecting the environment. Funds could be established to support the enforcement of environmental laws and to repair damage done by offenders through the use of the confiscated proceeds of environmental crimes and contributions from other sources. Environmental protection networks could be created nationally and internationally to coordinate activities and list available resources. Feasibility studies should be carried out to test other relevant proposals. Publicity could be used as a means both to raise public awareness of the need for protection of the environment and to deter offenders, especially convicted enterprises that depend on an ecologically sensitive clientele to remain in business.

367. It was pointed out that the United Nations had an important role to play in contributing to environmental protection through technical assistance, research, training, advisory services and education. Such a role should include facilitating interaction between all those involved in innovative thinking in this field.

368. The following proposals for projects involving international cooperation were discussed for appropriate support from Member States:

(a) Promoting awareness of the role of criminal justice in environmental protection: (i) the awareness of policy makers could be enhanced by organizing an international conference, possibly at the parliamentary level; and (ii) a manual could be developed with guidelines facilitating compliance, including access to information and risk assessment.

(b) The following research and documentation projects might be undertaken: (i) a comparative research project on the seriousness of environmental crime; (ii) a research project on criminal law in international environmental conventions; (iii) assistance in the review or redrafting of legislation and the development of effective infrastructure; and (iv) development of a standard-setting manual for practitioners;

(c) Technical co-operation and training: (i) provision of technical assistance in the form of needs assessment and advisory services; and (ii) organization of training courses for criminal justice and administrative agency personnel.

369. One regional group represented at the workshop announced that its Member States intended to review and reform their environmental legislation based on the work of the meeting. The workshop noted with appreciation the statement which was made by Argentina on behalf of 17 delegations, congratulating UNICRI in its organization, preparation and administration.

F. International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information

370. The two-day workshop on international cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information reviewed progress in computerization and in the use of information for policy and management purposes. The discussion focused on the development and use of national and international crime and criminal justice information and on the introduction of information technology in the administration of criminal justice. The discussion also sought to identify ways in which international cooperation, particularly within the framework of the United Nations crime prevention and criminal justice programme, could support development in that field.

371. The workshop opened with a discussion of the principal trends that had led to the international interest in the issues being discussed. The underlying theme was one of change: change in society, change in crime, and a rapid change in technology.

372. Participants agreed that the myriad changes in society — demographic, cultural, economic and political — had led to changes in the level and structure of crime. In many countries, crime had been increasing. New forms of crime were emerging, and both crime and offenders were taking on an international dimension. The criminal justice system was having difficulty responding in a just and effective manner. The administrative and infrastructural sectors of individual criminal justice agencies faced shortages in personnel and resources, shortcomings in training and operational structure, and difficulties in coordination and cooperation with other agencies, locally, nationally and internationally.

373. The rapid changes in technology, including new techniques for research and for monitoring the factors underlying the evolution of crime and the operation of the criminal justice agencies, provided new opportunities for responding to those changes. Currently, individual agencies in many countries were in the process of computerizing their operations, either on their own or in tandem with other agencies. Their goals included increased system efficiency, improved decision-making, better inter-agency coordination, and better and more timely information for policy analysis.

374. The rapid changes in technology, however, also had a negative side. New concerns and problems were arising over privacy and security. For example, it was noted that, without proper monitoring and guidelines and without clear law and policy, the new technology might strengthen the degree of control in society, and could, in so doing, erode fundamental rights. The technology itself also created new possibilities for fraud, theft, embezzlement, vandalism and other crimes, which under the rule of law must often be the subject of new criminalizations.

375. Many speakers described the experiences in their countries in responding to the changes and in utilizing the new information technology. Their objectives included analysing the operational environment of the criminal justice system, obtaining information on the dynamics and structure of crime and the characteristics of offenders, forecasting trends, and improving the allocation of resources.

376. There was a clear need for controlled organizational change, training, new approaches and coordination, locally, nationally and internationally. If individual agencies adopted divergent strategies, the abilities of

agencies to work together and exchange information might be weakened, and that could lead to investments in solutions that proved inappropriate in the long term. For that reason, national and international standards were needed on data, communications and technology. Such standards could help agencies and member States achieve the same high levels of efficiency and coordination, while ensuring the protection of privacy and security. That, in turn, required a coherent information policy which would guide the work of policy makers, criminal justice administrators and practitioners, experts and others involved in the field and would ensure the necessary financial and political commitment. In the international context, there was a clear need for coordination and harmonization and the strengthening of multilateral and bilateral technical aid programmes.

377. Attention was drawn to the need for a research policy that would foster both basic research and action-oriented research so as to ensure that policy makers could take informed decisions. Governments should also be encouraged to support evaluative research as a basic component of projects and programmes in crime prevention and criminal justice. The advantages and disadvantages of various models of bringing research and policy closer together deserved close examination.

378. During the workshop, the relevant work being carried out within the framework of the United Nations crime prevention and criminal justice programme was reviewed. Interregional and regional summaries of the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems were given, as were the results of a cross-cultural victimization study carried out by the United Nations Interregional Crime and Justice Research Institute (UNICRI), in cooperation with the Ministry of Justice of the Netherlands. Reference was also made to publications on the development of criminal justice statistics, the computerization of information systems in criminal justice, computer crime, and, most recently, a directory of criminal justice information systems.

379. The potential of the United Nations Crime and Justice Information Network (UNCJIN), which would soon be transferred to Vienna, was demonstrated at the workshop. Through Internet, UNCJIN links up a rapidly growing number of governmental agencies, academic institutions and individual practitioners with elements of the United Nations programme and with one another. Plans for expanding the scope and global coverage of UNCJIN were outlined.

380. The United Nations network of institutes — in particular UNICRI, the European Institute for Crime Prevention and Control, affiliated with the United Nations, and the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders — had carried out needs assessment missions, organized training courses, published source materials and provided other technical assistance. Further activities along those lines, including pilot projects, were in preparation.

381. It was noted that the resources available to the United Nations technical assistance programme were severely limited. The programme could avail itself of the services of only one expert in information technology, services generously provided by the Government of the Netherlands. Several Member States called for considerable strengthening of the programme in that respect. The growing role of the United Nations Development Programme (UNDP) in crime prevention and criminal justice was considered a very positive element, and it was suggested by one speaker that Member States should seek to allocate a specific portion of the aid within their country programme to that area, and to computerization and information technology.

382. Several speakers urged Member States, particularly those with considerable experience in that field and in more advanced technology, to share their expertise and experience and to increase financial and technical assistance on a bilateral and multilateral basis, in particular through the United Nations programme. Suggestions included the organization of regular local, regional and interregional seminars, including seminars for senior policy makers, demonstration projects on UNCJIN in countries with the greatest need, the regular updating of a roster of experts and expertise in the field, the development of computer-assisted instruction packages, the establishment of ad hoc groups to consider the appropriate infrastructure for planning,

implementing and evaluating the computerization of criminal justice, and, especially, the establishment by the Commission on Crime Prevention and Criminal Justice of such an ad hoc group to provide advice on international technical assistance projects.

383. It was noted that the implementation of such projects required increased investments and sacrifices. However, the projects would contribute to savings in the operation of the criminal justice system. Equally, they would contribute to the development of more informed policy, enable criminal justice agencies to inform citizens of developments in crime and the response to crime, and monitor the impact of crime and of the criminal justice system, thus contributing to the rule of law.

384. All Member States were urged by several speakers to provide assistance to the United Nations programme by providing fuller information on crime trends and the operations of the criminal justice system in their countries.

385. In general, it was noted that a considerable amount of expertise was available on what to do and what not to do in developing information technology for the management of criminal justice. There was also an increasing willingness to exchange information and expertise. What was required was an expansion of the international institutional capacity in order to ensure that the assistance reached those who could utilize it in their work.

VIII. ADOPTION OF THE REPORT OF THE CONGRESS AND CLOSURE OF THE CONGRESS

386. At the 17th plenary meeting, on 7 May 1995, the Rapporteur-General introduced the draft report on agenda items 3 and 4 (A/CONF.169/L.20 and Add.1-3). In his statement, the Rapporteur-General noted that countries were increasingly concerned with the new forms and dimensions of crime and its effects on stability, security, democracy and sustainable development. The recommendations of the Congress and the many innovative approaches it took provided a wide spectrum of knowledge and experience on which countries could draw in adopting measures and devising new strategies. The problems faced by the international community required more effective collaboration and increased technical assistance, particularly to developing countries and countries in transition, given the new transnational dimensions of crime. The Rapporteur-General stressed his conviction that also this Ninth Congress had made an invaluable contribution to the goals of preventing and controlling crime, clearly demonstrating not only the importance of these intergovernmental meetings, but also the strong commitment of Member States to strengthen international cooperation.

387. Statements were made by the representatives of Iraq and the Syrian Arab Republic.

388. The Congress then adopted the draft report on agenda items 3 and 4, as well as the reports of Committees I and II, dealing with agenda items 5 and 6, which had been previously introduced by the respective rapporteurs.

389. The Congress then adopted its report as a whole, as orally revised, and requested the Rapporteur-General to complete the text in the light of the action taken in plenary and to make the necessary editorial changes in conformity with accepted United Nations practice.

390. The 18th meeting of the Congress, on 8 May 1995, was devoted to its closure.

391. Expressions of appreciation to the Government and people of Egypt, to the President and the other officers of the Congress, to the United Nations Secretariat and all those associated with it who had made the Congress a success, were voiced by the representatives of Uganda on behalf of the African States; Malaysia on behalf of the Asian States; the Russian Federation on behalf of the Eastern European States; Costa Rica on

behalf of the Latin American and Caribbean States; Ireland on behalf of the Western European and other States; and the United Arab Emirates on behalf of the Arab States. The representative of South Africa also made a statement. All speakers confirmed the crucial role of the congresses, and the relevance of the recommendations made, stressing the need for appropriate follow-up by the forthcoming session of the Commission on Crime Prevention and Criminal Justice. They also emphasized the necessity for concerted action to deal with crime problems transcending national frontiers, and for increased technical cooperation in this field.

392. The Secretary-General of the Congress expressed his appreciation for the generous hospitality of the Government and people of Egypt, and the effective organization of the Congress, which so greatly contributed to its success. The Congress had touched on many key issues: that consensus was reached in all the recommendations attested to the commitment of countries and the international community to curtailing crime, enhancing justice and ensuring security for all. The high-level participation in the Congress was evidence of the serious concern about escalating crime and the realization that its new, expanding transnational forms could only be combated by joint action. It was now a matter of translating the decisions taken into actual reality. This process was helped by the practical focus of the Congress, which had stressed the importance of the exchange of concrete experiences and know-how. As revealed in the national statements, technical assistance was required on a whole range of crime-related problems, many of which were interrelated. The rule of law was a cornerstone of sustainable development, and strengthened technical cooperation an important instrument for achieving greater stability and democratic change.

393. In his closing statement, the President of the Congress, His Excellency Farouk Mahmoud Seif El Nasr, Minister of Justice of Egypt, noted that the resolutions unanimously adopted by all the participants were the result of shared values and experiences. To be effective, however, they needed appropriate follow-up at the national level, so that the next Congress could evaluate their benefits. As reflected in press reports locally and internationally, the Congress had been able to give valuable policy directives to maintain the rule of law and ensure justice. He declared the Congress closed.

Annex

List of documents

Document number	*Agenda item*	*Title and description*
A/CONF.169/1	2(a)	Provisional agenda
A/CONF.169/2	2(b)	Provisional rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders
A/CONF.169/3	2	Adoption of the agenda and organization of work: note by the Secretariat
A/CONF.169/4	3	Working paper prepared by the Secretariat
A/CONF.169/5	4	Working paper prepared by the Secretariat
A/CONF.169/6	5	Working paper prepared by the Secretariat
A/CONF.169/7	6	Working paper prepared by the Secretariat
A/CONF.169/8	3	Background paper for the workshop on extradition and international cooperation: exchange of national experiences and implementation of extradition principles in national legislation
A/CONF.169/9	6	Background paper for the workshop on mass media and crime prevention
A/CONF.169/10		Background paper for the workshop on urban policy and crime prevention
A/CONF.169/11	6	Background paper for the workshop on the prevention of violent crime
A/CONF.169/12	4	Background paper for the workshop on environmental protection at the national and international levels: potentials and limits of criminal justice
A/CONF.169/13	5	Background paper for the workshop on international cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information

Document number	*Agenda item*	*Title and description*
A/CONF.169/13/Add.1	5	United Nations Crime and Justice Information Network: present and future dimensions; towards the establishment of a United Nations crime and justice clearing-house: Progress report prepared by the Secretariat
A/CONF.169/14	4	Background paper prepared by the Secretariat on international action against corruption
A/CONF.169/15	3 and 5	Results of the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems: Interim report prepared by the Secretariat
A/CONF.169/15/Add.1	3 and 4	Results of the supplement to the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, on Transnational Crime: Interim report by the Secretariat
A/CONF.169/CRP.1		Demonstration and Research Workshops at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Consultations held in pursuance of Economic and Social Council resolution 1994/19
A/CONF.169/CRP.2		United Nations surveys of crime trends and operations of criminal justice systems (1970-1995): Documentation list
A/CONF.169/CRP.3	5	Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections; and the role of lawyers
A/CONF.169/INF.1		Information for participants
A/CONF.169/INF.2 and Add.1		List of participants
A/CONF.169/L.1		Report of the pre-congress consultations held at the Cairo International Conference Centre

Document number	*Agenda item*	*Title and description*
A/CONF.169/L.2	4	Communication dated 23 November 1994 from the Secretary for Justice of Argentina to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/L.2/Rev.1	4	Draft resolution
A/CONF.169/L.2/Rev.2	4	Revised draft resolution
A/CONF.169/L.3	3,4,5 and 6	Communication dated 2 December 1994 from the Secretary for Justice of Argentina to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/L.4	4	Note verbale dated 2 December 1994 from the Permanent Mission of the Netherlands to the United Nations (Vienna) addressed to the United Nations Office at Vienna
A/CONF.169/L.4/Corr.1	5	Note verbale dated 2 December 1994 from the Permanent Mission of the Netherlands to the United Nations (Vienna) addressed to the United Nations Office at Vienna
A/CONF.169/L.4/Rev.1	5	Draft resolution
A/CONF.169/L.4/Rev.2	5	Revised draft resolution
A/CONF.169/L.5 and Corr.1 and 2	6	Note verbale dated 2 December 1994 from the Permanent Mission of Austria to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the Secretariat
A/CONF.169/L.6	3	International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments
A/CONF.169/L.6/Rev.1	3	Revised draft resolution
A/CONF.169/L.6/Rev.2	3	Revised draft resolution

Document number	*Agenda item*	*Title and description*
A/CONF.169/L.7	6	Letter dated 12 December 1994 from the Counsellor and Alternate Resident Representative of Canada to the United Nations (Vienna) addressed to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/L.7/Rev.1	6	Revised draft resolution
A/CONF.169/L.8	4 and 6	Note verbale dated 15 December 1994 from the Permanent Mission of Japan to the United Nations (Vienna) addressed to the United Nations Office at Vienna
A/CONF.169/L.8/Rev.1	6	Revised draft resolution
A/CONF.169/L.8/Rev.2	6	Revised draft resolution
A/CONF.169/L.9	5	Letter dated 16 December 1994 from the Permanent Mission of Poland to the United Nations (Vienna) addressed to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/L.9/Rev.1	5	Revised draft resolution
A/CONF.169/L.10	3,4,5 and 6	Communication dated 27 December 1994 from the Permanent Secretary of the Ministry of Internal Affairs of Uganda to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/L.11	6	Communication dated 12 January 1995 from the Belgian Ministry of Foreign Affairs, Foreign Trade and Development Cooperation to the United Nations Office at Vienna
A/CONF.169/L.12	4	Note verbale dated 28 December 1994 from the Permanent Mission of Egypt to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the Secretariat
A/CONF.169/L.12/Rev.1	4	Revised draft resolution

Document number	*Agenda item*	*Title and description*
A/CONF.169/L.13	6	Note verbale dated 6 March 1995 from the Permanent Mission of Turkey to the United Nations (Vienna) addressed to the Office of the Director-General of the United Nations Office at Vienna
A/CONF.169/L.14	4	Note verbale dated 6 March 1995 from the Permanent Mission of Turkey to the United Nations (Vienna) addressed to the Office of the Director-General of the United Nations Office at Vienna
A/CONF.169/L.15	3	Note verbale dated 6 March 1995 from the Permanent Mission of Egypt to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the Secretariat
A/CONF.169/L.16	6	Note verbale dated 20 March 1995 from the Permanent Mission of Turkey to the United Nations (Vienna) addressed to the Office of the Director-General of the United Nations Office at Vienna
A/CONF.169/L.17	4 and 6	Note verbale dated 7 April 1995 from the Permanent Mission of Tunisia to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the Secretariat
A/CONF.169/L.18 and Rev.1	3,4,5 and 6	Draft resolution
A/CONF.169/L.19 and Rev.1	6	Draft resolution
A/CONF.169/L.20 and Add.1-3	7	Adoption of the report of the Congress
A/CONF.169/L.21	4	Proposed amendment to draft resolution A/CONF.169/L.12: Iran (Islamic Republic of)
A/CONF.169/L.23	6	Report of the Chairman of Committee II on the workshop on topic (a): Extradition and international cooperation: exchange of national experience and implementation of relevant principles in national legislation

Document number	*Agenda item*	*Title and description*
A/CONF.169/L.24	7	Adoption of the report of the Congress: Report of Committee I
A/CONF.169/L.24/Add.1	7	Adoption of the report of the Congress: Report of Committee I
A/CONF.169/L.25	7	Adoption of the report of the Congress: Report of Committee II
A/CONF.169/L.25/Add.1	7	Adoption of the report of the Congress: Report of Committee II (part II)
A/CONF.169/L.26	4	Report of the Chairman of Committee I on the workshop on topic (e): National and international levels: potentials and limits of criminal justice
A/CONF.169/L.27	4	Proposed amendment to draft resolution A/CONF.169/L.12: Sudan
A/CONF.169/L.28	7	Report of the Credentials Committee
A/CONF.169/L.29	7	Expression of thanks to the people and Government of the Arab Republic of Egypt
A/CONF.169/L.30	4	Proposed amendments to draft resolution A/CONF.169/L.12/Rev.1: Syrian Arab Republic
A/CONF.169/C.1/L.1	5	Report of the Chairman of Committee I on the workshop of topic (f): International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information
A/CONF.169/C.2/L.1	6	Report of the Chairman of Committee II on the workshop on topic (b): Mass media and crime prevention
A/CONF.169/C.2/L.2	6	Report of the Chairman of Committee II on the workshop on topic (c): Urban policy and crime prevention

Document number	*Agenda item*	*Title and description*
A/CONF.169/C.2/L.3	6	Report of the Chairman of Committee II on the workshop on topic (d): Prevention of violent crime
A/CONF.169/PM.1 and Corr.1	7	Discussion guide for the regional preparatory meetings for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/PM.1/Add.1	7	Discussion guide on demonstration and research workshops to be held at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/RPM.1/Rev.1 and Corr.1	7	Report of the Asia and Pacific regional preparatory meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/RPM.2	7	Report of the African regional preparatory meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/RPM.3 and Corr.1	7	Report of the European regional preparatory meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/RPM.4	7	Report of the Latin American and Caribbean regional preparatory meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.169/RPM.5	7	Report of the Western Asia regional preparatory meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
E/1994/31	7	Report of the Commission on Crime Prevention and Criminal Justice on its third session
A/49/748	7	Report of the World Ministerial Conference on Organized Transnational Crime